Final Environmental Impact Report

Tasman East Specific Plan

SCH # 2016122027

File Numbers: CEQ2016-01026, PLN2016-12400

Prepared by

CITY OF SANTA CLARA CALIFORNIA 1852 THE MISSION CITY

In Consultation with

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SECTION 1.0 INTRODUCTION

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the Tasman East Specific Plan project.

1.1 PURPOSE OF THE FINAL EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City and any Responsible Agencies in making decisions regarding the project. The CEQA Guidelines advise that, while the information in the Final EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects.

According to the State Public Resources Code Section 21081, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which will mitigate or avoid the significant effect on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

1.2 CONTENTS OF THE FINAL EIR

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

a) The Draft EIR or a revision of the Draft;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
e) Any other information added by the Lead Agency.

1.3 PUBLIC REVIEW

In accordance with CEQA and the CEQA Guidelines, the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at the Planning Division office in City Hall at 1500 Warburton Avenue on weekdays during normal business hours. The Final EIR is also available for review at the Central Library at 2635 Homestead Road and on the City's website: http://santaclaraca.gov/

SECTION 2.0 SUMMARY OF DRAFT EIR PUBLIC REVIEW PROCESS

The Draft EIR for the Tasman East Specific Plan (TESP) project (the Project), dated July 2018, was circulated to affected public agencies and interested parties for a 45-day review period from July 30th, 2018 through September 13th, 2018.

The City of Santa Clara (the City) undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City's website (http://santaclaraca.gov/) and in the San José Mercury News;
- Notification of the availability of the Draft EIR was mailed to project-area residents and other members of the public who had indicated interest in the project;
- The Draft EIR was delivered to the State Clearinghouse on July 30th, 2018, as well as sent to various governmental agencies, organizations, businesses, and individuals (see *Section 3.0* for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- Copies of the Draft EIR were made available at the Planning Division in City Hall, Central Library, and on the City's website (http://santaclaraca.gov/).

SECTION 3.0 AGENCIES, ORGANIZATIONS, BUSINESSES, AND INDIVIDUALS THAT RECEIVED THE DRAFT EIR

CEQA Guidelines Section 15086 requires that a local Lead Agency consult with and request comments on the Draft EIR prepared for a project of this type from Responsible Agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies. The following agencies received a copy of the Draft EIR or Notice of Availability (NOA) for the Draft EIR from the City or via the State Clearinghouse:

- Altamont Commuter Express
- Bay Area Air Quality Management District
- CalRecycle
- City of San José
- City of Sunnyvale
- County of Santa Clara (ALUC, DEH, Planning)
- Guadalupe-Coyote Resource Conservation District
- Metropolitan Transportation Commission
- Regional Water Quality Control Board
- Santa Clara Valley Water District
- Santa Clara Valley Transportation Authority
- Santa Clara Unified School District
- U.S. Army Corps of Engineers
- Winter Associates

Copies of the Draft EIR or NOA for the Draft EIR were sent to the following organizations, businesses, and individuals by the City:

- Adams Broadwell Joseph & Cardozo
- Aja Layer
- Arvind & Anupam Bhargava
- Bella Vista Land Advisors
- Beta Plus & Properties
- Big Bear Automation
- Bradley Cleveland
- Brendan Croom
- Bruce Jett
- CBRE
- Catalyst Development Partners
- Centerline
- Charles W. Davidson
- Classic Communities
- Committee for Green Foothills
- Dan Buzatoiu
- Dan Truong

- Dennis Dowling
- Diplomat CM
- Donna Wills
- Doug Watts
- Ensemble Investments
- Ernesto Barron
- Esmail Jalayer
- Essex Property Trust
- FRG LLC
- Fidel Chavez
- Gary Wills
- Gerald Harriss
- Hazel Alabado
- Holland Partner Group
- ICF International
- Integral Communities
- Isabella Tan
- Jean Marlowe
- Jess Partners
- Jessica Winter
- Jim Brennan
- John Bertolotti
- Joni Cronin
- Karen Campbell
- Ken Pyle
- Keystone Development Group
- Kidder Mathews
- Kirk Vartan
- KLS Asset Management
- KT Urban Properties
- Landcastle
- Laison, LLC
- Leopold Pivk Jr.
- Lozeau Drury LLP
- Marcus and Millichap
- Mark Apton
- Mei Ling Mei Kiu
- Mike McCabe
- Mike O'Halloran
- Mikayla's Cafe
- Neo Century International
- Pil Millenbah
- PG&E
- Pat Waddell

- R+C Brown
- RMK & Associates
- RS Alameda LLC
- Related Companies
- ReThink Development
- River Oaks Neighborhood Association
- Rodney Clark
- Ronald S. Patrick
- Sierra Club
- Silicon Valley Bike Coalition
- Siva Power
- St. Anton Group
- Summerhill Homes
- TMK, Inc.
- Tasman Company LLC/Harry Frumveller
- Tasman Retail LLC/Pelio & Associates
- Tiantai LLC
- True Solar USA Inc.
- Urban Planning Partners
- VanDaele
- Victor Mazzuco/Anthony Fernandes

The Notice of Availability was also distributed to all properties within 1,000 feet of the Plan Area.

SECTION 4.0 RESPONSES TO DRAFT EIR COMMENTS

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City on the Draft EIR. Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the actual letters and emails received by the City are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

Comment Letter and Commenter **Page of Response**

Comment letters were received from 10 public agencies. CEQA Guidelines Section 15086(c) require that:

> A Responsible Agency or other public agency shall only make substantive comments regarding those activities involved in the project that are within an area of expertise of the agency or which are required to be carried out or approved by the Responsible Agency. Those comments shall be supported by specific documentation.

Regarding mitigation measures identified by commenting public agencies, the CEQA Guidelines Section 15086(d) state that:

> Prior to the close of the public review period, a Responsible Agency or trustee agency which has identified what the agency considers to be significant environmental effects shall advise the Lead Agency of those effects. As to those effects relevant to its decisions, if any, on the project, the responsible or trustee agency shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the Lead Agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.

FEDERAL AND STATE AGENCIES

A. Responses to Comment Letter A from State of California Public Utilities Commission (dated August 10, 2018).

Comment A.1: The California Public Utilities Commission (Commission/CPUC) has jurisdiction over rail crossings (crossings) in California. CPUC ensures that crossings are safely designed, constructed, and maintained. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the Draft Environmental Impact Report (DEIR) for the proposed Tasman East Specific Plan. City of Santa Clara (City) is the lead agency.

The City proposes to develop an existing industrial neighborhood 45 acres in size into a high density transit-oriented neighborhood. The project would provide greater pedestrian and bicycle access to the adjacent Valley Transit Authority (VTA) Lick Mill Station through the traffic light controlled Calle del Sol crossing (CPUC No. 082B-5.58). The project also borders the Capitol Corridor Great America Station, with a flasher controlled pedestrian crossing (CPUC No. 001L-40.60-D).

Any development adjacent to or near the railroad or light rail transit right-of-way (ROW) should be planned with the safety of the rail corridor in mind. New developments may increase pedestrian or vehicular traffic volumes not only on streets and at intersections, but also at nearby rail crossings. Traffic impact studies should analyze rail crossing safety and potential mitigation measures. Safety improvement measures may include the planning for grade separations or improvements to existing at-grade crossings. Examples of improvements may include, but are not limited to: addition or upgrade of crossing warning devices, detectable warning surfaces and edge lines on sidewalks, and pedestrian channelization. Pedestrian and bicycle routes should be designed to clearly prohibit and discourage unauthorized access (trespassing) onto the tracks, except at authorized crossings.

> **Response A.1:** The existing improvements in the vicinity of the two rail stations serving the project site provide adequate safety for pedestrians and bicyclists as described below. Tasman Drive on the southern boundary of the site is grade separated from the existing UPRR rail line adjacent to Lafayette Street. Access to the Great America ACE/Capitol Corridor (Amtrak) Station from the Plan Area is provided via a crosswalk at Calle De Luna and ramp to the station. Cyclone fencing along Lafayette Street restricts pedestrian access to the rail line and station and channels users to an at-grade crossing. Warning lights and ADA-compliant warning surfaces (truncated domes) are present at the existing at-grade pedestrian crossing of the UPRR tracks at the Calle De Luna access. Light-rail transit (LRT) lines and the Lick Mill LRT Station are located in the median of Tasman Drive. The LRT station is accessible from crosswalks at Calle Del Sol and Lick Mill Boulevard. The Lick Mill LRT Station is separated from the adjacent roadway by concrete barriers and railings. On the north side, these barriers span from Calle Del Sol to Lick Mill Boulevard, which effectively limits station access via the existing crosswalks. These improvements would ensure additional pedestrians and bicyclists resulting from the TESP are directed to safe crossings of the existing rail lines.

Comment A.2: In addition, modifications to existing public crossings require authorization from the Commission. RCEB representatives are available for consultation on any potential safety impacts or concerns at crossings.

> **Response A.2:** As identified in MM C-TRANS-3.3, buildout of the TESP would require modification of the Calle Del Sol and Tasman Drive intersection to accommodate traffic from the Plan Area (see Draft EIR p.265). At the intersection of Calle Del Sol and Tasman Drive, as stated in the Draft EIR, reconfiguring the southbound approach to two left turn lanes and one right turn lane would fully mitigate the project impact to a less than significant level. Future improvement plans at this intersection would be submitted to the CPUC for review and approval.

REGIONAL AND LOCAL AGENCIES

B. Responses to Comment Letter B from City of San Jose Airport Department (dated August 15, 2018)

Comment B.1: Thank you for notifying the City of San Jose Airport Department of the completion the subject DEIR. The Airport has reviewed the aviation-related information and impact analysis presented in the document, including the Hazards and Hazardous Materials, Land Use and Planning, Noise and Vibration, and Transportation/Traffic sections, and considers it sufficiently complete and accurate. We therefore have no specific concerns or suggested revisions for the document.

> **Response B.1:** This comment is acknowledged and does not raise any issues with the environmental analysis provided in the Draft EIR and thus no further response is required.

C. Responses to Comment Letter C from County of Santa Clara Department of Environmental Health (dated August 28, 2018).

Comment C.1: Thank you for the opportunity to comment on the Tasman East Specific Plan Project – Environmental Impact Report (EIR). The County of Santa Clara Department of Environmental Health is designated as a Local Enforcement Agency (LEA) by the California Department of Resources Recycling and Recover (CalRecycle) and works with CalRecycle to carry out regulatory oversight of solid waste handling and disposal sites at the local level. As a responsible agency, the LEA would like to provide the following comments to the EIR.

The proposed project involves the development of a high-density transit-oriented neighborhood with supportive retail services. The project Specific Plan would allow the development of up to 4,500 dwelling units and up to 106,000 square feet of retail space including the potential for a grocery store.

As indicated in the Draft EIR the former Santa Clara All Purpose Landfill owned by the City of Santa Clara is directly adjacent to the Tasman East Specific Plan Project (TESP). With the proximity of the TESP project (to All Purpose LF), the LEA concurs with the recommendation by Cornerstone Earth Group based on the results of the Screening Level Phase I Environmental Site Assessment (Appendix I). The identified potential impacts to the project site from landfill gas migration and

vapor intrusion should be further evaluated by a Phase II Environmental Site Assessment and redevelopment activities should be coordinated with the LEA. If investigative results require site mitigation measures from landfill gas (methane) and vapor intrusion, the project proponent should consider the mitigation measures described in the California Code of Regulations Title 27 Section 21190(c), in conjunction with a proposed vapor intrusion plan.

Response C.1: The Draft EIR includes mitigation measures, MM HAZ-1.2 to MM HAZ 1.5, to address the potential for soil vapor intrusion in proposed structures. These mitigation measures adequately capture the suggested strategies set forth in California Code of Regulations Title 27 Section 21190. The City would coordinate with the LEA on the Phase II Environmental Site Assessments, as necessary.

D. Responses to Comment Letter D from San Joaquin Regional Rail Commission (dated September 10, 2018).

Comment D.1: Thank you for the opportunity to comment on the Tasman East Specific Plan Draft Environmental Impact Report (DEIR). We are fully supportive of policies and projects that will transform the area adjacent to Santa Clara - Great America Station (Great America Station) into a regional, transit-oriented destination, anchored by a welcoming, world-class multimodal transportation hub. We concur with specific policies expressed in the City of Santa Clara General Plan that direct future development within the Tasman East Focus Area to:

- Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority (VTA), Amtrak, and Altamont Corridor Express stations (ACE) and transit stops to promote transit use for access to services and jobs (5.4.6-P2)
- Work with appropriate transportation agencies, businesses, and surrounding cities to maximize rail and bus transit to and from the stations (5.4.6-P3)
- Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings (5.4.6-P4)
- Provide for future connections, which encourages walking and bicycling, to the new development in the north when it is redeveloped to promote accessibility between the two areas (5.4.6-P7)
- Emphasize walkability and access to transit and existing roadways in Future Focus Area comprehensive plans (5.4.6-P9)
- Provide access across expressways or major arterial streets so that new residential development in Future Focus Areas has adequate access to neighborhood retail, services and public facilities (5.4.6-P10)

Response D.1: The City agrees that transformation of the area adjacent to the Santa Clara/Great America Station into a regional, transit-oriented development is beneficial. The Tasman East Specific Plan is consistent with the City of Santa Clara General Plan policies addressing the Tasman East Focus Area. This comment does not raise any issues with the environmental analysis provided in the Draft EIR and thus no further response is required.

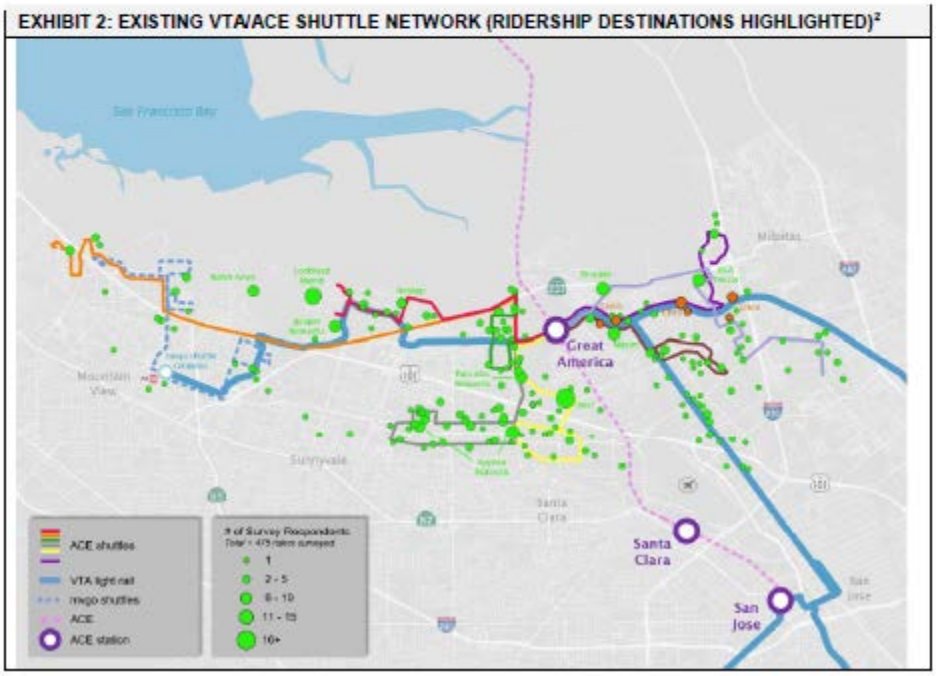
Comment D.2: We appreciate the effort put into the DEIR traffic operations analysis, but find the section missing critical information that would allow the San Joaquin Regional Rail Commission to fully assess the impact of future development on our ridership, specifically the impact of additional intersection and freeway delay on our jointly-operated VTA/ACE first-and-last mile shuttle network, which operates out of Great America Station (EXHIBIT 1).

The VTA/ACE shuttles are the most heavily-used local public transit service in the area, accounting for roughly 1,240 boardings each weekday, or 82% of total transit boardings from the proposed Tasman East Specific Plan area (EXHIBIT 2). Riders include customers transferring from regional ACE and Capitol Corridor trains, as well as local residents.

EXHIBIT 1: EXISTING TRANSIT RIDERSHIP, BY ROUTE[1]

Service	Stop	Average Weekday Boardings	% of Total
VTA Route 140	Tasman @ Calle del Sol	0	0%
VTA Route 330	Tasman @ Calle del Sol	1	0%
VTA Route 902	Lick Mill Station	276	18%
VTA/ACE Shuttles	Great America Station	1,240 (AM)	82%
Total		***1,517***	***100%***

EXHIBIT 2: EXISTING VTA/ACE SHUTTLE NETWORK (RIDERSHIP DESTINATIONS HIGHLIGHTED)[2]



Given their significance, it is notable that the VTA/ACE shuttles are not mentioned in the main body of the DEIR, or comprehensively analyzed in the full Transportation Impact Analysis Report (Appendix G of the DEIR).

We believe that future development within the Tasman East Specific Plan area may potentially impact VTA/ACE shuttle service, and our customers, in the following two ways:

- Increased Travel Time Delay: The traffic operations analysis disclosed significant impacts at four study intersections and five freeway segments due to additional project-generated trips.

The VTA/ACE shuttle routes traverse three of the four impacted intersections, and all five impacted freeway segments, and yet no travel time impacts to transit were disclosed in the DEIR.

Response D.2: The City does not typically analyze impacts to shuttles due to shuttle vehicle delay as any delay to shuttles would be similar to the delays noted for bus routes and individual passenger vehicles in the area that are discussed throughout *Section 3.14 Transportation/Traffic* of the Draft EIR and impacts would be addressed by the mitigation measures identified in Section 3.14. The VTA regularly monitors the use of its services, adjusts routes, vehicle capacity, etc. and would continue to do so with full buildout of the Plan Area. To the extent additional shuttles are needed to accommodate increased use of the shuttle service or adjustments to the shuttle routes are required based on the location of new desirable destinations, the VTA/ACE services would be modified; however, modifications and enhancement to these services would not result in physical effects on the environment and are outside the scope of this EIR.

Comment D.3: Additional Project Ridership: The full Transportation Impact Analysis report (Appendix G of the DEIR) makes two questionable assumptions: (1) that additional transit riders generated by the project would typically use regional rail at Great America Station, or local light rail service at VTA's Lick Mill station; and (2) that "VTA bus transit service within the immediate study area operates below capacity, and additional trips generated by the proposed Project could be accommodated by existing bus service." We believe that most additional transit riders generated by the project would actually use the existing VTA/ACE shuttle network, which would connect them major employment centers throughout Silicon Valley faster, and more directly than the ACE train, Capitol Corridor, or VTA light rail; as currently operated, the VTA/ACE shuttles do not exclude non-ACE riders. Furthermore, a few of the VTA/ACE shuttles are currently operating at or near capacity, and additional ridership from new developments would result in over-capacity, potentially displacing existing riders.

Response D.3: The TIA assumes that additional transit riders generated by the Project would typically use the Santa Clara/Great America station served by the Capitol Corridor and ACE trains or the Lick Mill LRT Station (see TIA p. 117). It is reasonable to assume that additional transit riders would access these stations rather than use the VTA/ACE shuttles because the Lick Mill LRT Station is adjacent to the southern boundary of the Plan Area and provides connectivity to many locations in the area. Additionally, the LRT 902 line, currently operates with 15-minute headways during the peak commute hours while the VTA/ACE shuttles only operate once every hour. Further the light rail operates from approximately 5:00 AM to 1:00 AM, while the shuttles only run for 3-hour segments in the AM and PM peak periods. Finally, the average annual weekday boardings for the LRT 902 line are significantly higher than for the shuttles (13,330 vs. 2,753). It is reasonable to assume, therefore, that residents within the Plan Area would choose to take a transit option running more frequently and for longer time periods.

The primary purpose of the VTA/ACE shuttles is to provide "last-mile" service to job sites in the vicinity of northern Santa Clara area for people arriving at the Santa

Clara/Great America station on Amtrak Capitol Corridor or ACE trains. These shuttles are timed with the arrival of ACE trains and thus it is likely that their ridership stems predominately from riders disembarking ACE at the Santa Clara/Great America Station and not from riders in local neighborhoods. It should be noted that the average annual weekday boardings identified in Table 3-3 of the TIA (Appendix G) include all shuttle boardings along the various shuttle lines which involve multiple stops including at other VTA LRT Stations in North San José, North Santa Clara, and Sunnyvale. The seated capacity of the shuttles is estimated to be 39 seats with additional room for standing passengers.[1] The Gray, Red, and Yellow shuttle routes operate two shuttles per ACE train.[2] Based on the seated capacity and four daily peak hour shuttles provided on most routes, average boardings would need to exceed 156 passengers, which for routes with a single shuttle only occurs on the Brown and Violet routes in the PM peak hour (175 and 163 average passengers, respectively). Given that some passengers from the Project may use the shuttles for local destinations and thus all passengers would not be on the shuttles for the entire route and that standing capacity would be provided, the shuttle capacity likely would not be regularly exceeded with or without the Project. Given the availability and frequency of other transit services in the area, the Project's additional transit riders are unlikely to ride these shuttles in large numbers.[3]

The TIA also states that VTA bus transit service within the immediate study area operates below capacity and thus additional trips generated by the Project could be accommodated by existing bus service. The commenter does not offer any evidence to contradict the assumptions made in the Draft EIR or TIA. The commenter states that a few of the VTA/ACE shuttles are currently operating at or near capacity, but provides no details as to which shuttle routes the commenter is referring to, the capacity of the shuttles, or the current ridership. Shuttle-specific data was not available for the Draft EIR or TIA (other than the average annual weekday boardings for the entire route of each shuttle as shown in Table 3-3 on page 47 of the TIA) and shuttle-specific data has not been provided by the commenter here. For these reasons, the assumptions made in the TIA and Draft EIR as to additional transit ridership are supported.

Comment D.4: We respectfully request that the City of Santa Clara conduct additional analysis of these potential impact [sic]. If significant impacts are found, we urge staff to consider possible mitigation measures that take advantage of economies of scale, and build on the success of the VTA/ACE shuttle program. Some examples include increasing the span and frequency of existing VTA/ACE shuttle service, adding additional routes, and investing in larger vehicles. These investments could be more effective at encouraging mode-shift than investments in conventional,

[1] City of Santa Clara. *City Place Santa Clara Project Draft Environmental Impact Report*. SCH# 2014072078. Certified June 2016. Table 3.3-10. Page 3.3-33.
[2] City of Santa Clara. *City Place Santa Clara Project Final Environmental Impact Report*. SCH# 2014072078. Certified June 2016. Page 5-24.
[3] Haynes, Matt. Principal. Personal communication. October 11, 2018.

corridor-based mass transit, given the dispersed pattern of employment that dominates north Santa Clara County.

Rather than reinvent the wheel, we urge staff to consider mitigation measures that will help grow the public transit ridership that is already there, rather than investing in entirely new and untested services, like the proposed peak-hour shuttle to Lawrence Caltrain.

> **Response D.4:** As described in Response D.2 above, the delays to the VTA/ACE shuttles would be similar to those experienced by bus routes and individual passenger vehicles on the local roadway and freeway systems. No separate impact would occur to transit shuttle services than otherwise described in the LOS analysis in *Section 3.14* of the Draft EIR. Therefore, no additional mitigation measures are required. The potential to increase shuttle frequency in the future as ridership increases due to development in northern Santa Clara would not require any physical improvements nor result in significant environmental impacts and is beyond the scope of this EIR.

Comment D.5: The City of Santa Clara envisions north Santa Clara County as a new jobs-rich center that will draw workers from across the region, in particular from communities to the east—eastern Alameda county, San Joaquin County, and the Central Valley—which ACE currently serves. We encourage staff to envision ACE as a "Caltrain of the East," serving a regional transit hub for north Santa Clara county centered at Great America Station, and to ensure that this vision is implemented concurrently with future land-use developments. Great America Station is the logical regional hub for north county, not Diridon Station located 6 miles away, nor a future BART station located 4 miles away in Milpitas. Land use and transportation must work together if we hope to meaningfully reduce the environmental impacts of future development.

> **Response D.5:** The City agrees with the San Joaquin Rail Commission that north Santa Clara County will be a jobs-rich center that will draw workers from across the region. While the Santa Clara/Great America Station is one of the local regional hubs for north county; Diridon Station and the future BART station in Milpitas will also serve as transportation hubs in the near future, depending on where people are moving to and from. In addition, the transit analysis in the Draft EIR and TIA is concerned with additional transit trips due to Project implementation and riders coming from the Tasman East Specific Plan area, not from eastern Alameda county or the Central Valley on ACE. This comment does not raise any issues with the environmental analysis provided in the Draft EIR and thus no further response is required.

E. Responses to Comment Letter E from San Francisco Bay Regional Water Quality Control Board Comments (dated September 10, 2018).

Comment E.1: San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the Draft Environmental Impact Report for the Tasman East Specific Plan (Draft EIR). The Draft EIR evaluates the potential environmental impacts associated with implementing the Tasman East Specific Plan (Project), which consists of the development of a high-density, transit-oriented neighborhood with supportive retail services. The City would amend the General Plan classification for the Plan Area to Transit Neighborhood (80-350

DU/AC), which would allow residential and supportive commercial and public/quasi-public uses and rezone the Plan Area to Transit Neighborhood to allow for development of a high density residential neighborhood with a mix of uses at the ground floor. The Specific Plan would allow construction of up to 4,500 dwelling units and up to 106,000 square feet of retail space. The Plan area is currently zoned for light industrial land use, which allows for uses such as manufacturing, processing, repairing, and storing products.

Summary

We encourage the City of Santa Clara to revise the proposed Project to avoid culverting the Eastside Drainage Swale, which provides regionally significant aquatic habitat. If the City continues to pursue a Project layout that includes filling of the channel, we note in this letter that the Draft EIR does not provide an adequate discussion of potential mitigation measures for Project impacts to the channel. In addition, it is not clear at this time if a Clean Water Act Section 404(I)(b) alternatives analysis would conclude that the culverting of the Eastside Drainage Swale can be permitted by the Water Board. Finally, the discussion of potential impacts from hazardous materials does not acknowledge the ways in which the Project's proximity to a landfill may place restrictions on development within the Project area.

> **Response E.1:** As described in Section 2.3.5, the Draft EIR analyzes the potential culverting of the Eastside Drainage Swale if such culverting is proposed in connection with redevelopment of the properties adjacent to the swale, and the City agrees such modifications to the swale would achieve the objectives of the TESP. Analysis of such proposals for conformance with the impacts and mitigations of the EIR for the Plan Area would be completed prior to approval of specific development projects. The City disagrees that identifying suitable mitigation lands would be so difficult as to render mitigation measures MM BIO-6.1 and MM BIO-7.1 infeasible. Although the project proponent would be responsible for identifying appropriate mitigation, the City notes as an example, that Ulistac Natural Area, located just south of Tasman Drive, provides a potential location for wetland and riparian mitigation through expansion of a previously constructed wetland into an area dominated by nonnative grassland and scattered invasive trees. Furthermore, mitigation measure MM BIO-6.1 states that a minimum compensation ratio of 2:1 would be required unless a higher ratio is required by a regulatory agency. The City would require that all requisite permits are procured prior to issuance of grading permits for any redevelopment project. The discussion of hazardous materials impacts from the former landfill located adjacent to the Plan Area is set forth in *Section 3.8 Hazards and Hazardous Materials*.

Comment E.2: A locally significant aquatic resource, the Eastside Drainage Swale, is present on the east side of the Project area.

The Eastside Drainage Swale in the Plan area carries flows to the Eastside Retention Basin approximately 0.5 mile northwest of the Plan area, where the water is pumped into the Guadalupe River. The Tasman East Focus Area Plan includes the possible culverting of the Eastside Drainage Swale within the Plan area.

Appendix C of the DEIR consists of the Tasman East Focus Area Plan Biological Resources Report (H. T. Harvey & Associates, July 26, 2018). Section 6.2.2 of the Biological Resources Report includes a good description of the Eastside Drainage Swale.

Implementation of the Plan may result in the permanent loss of up to 0.39 acre and 810 linear feet of perennial freshwater wetlands within the active channel of the Eastside Drainage Swale if these wetlands are filled or culverted. These wetlands may be subject to regulatory jurisdiction of the USACE, RWQCB, and/or CDFW. Regardless of whether these wetlands are determined to be jurisdictional, they serve a variety of important functions, such as sediment stabilization, sediment/toxicant retention, nutrient removal/transformation, and aquatic and terrestrial wildlife species habitat. The wetland habitat within the Eastside Drainage Swale has some ecological value within the urban matrix of the Plan area and its vicinity. Even though the acreage of impacts to wetlands (0.39 acre) is relatively small, wetlands are relatively scarce regionally, and even small wetland areas have disproportionate contributions to water quality, groundwater recharge, watershed function, and wildlife habitat in the region. This habitat also provides valuable refuge and foraging resources for wildlife species that typically occur in the more extensive wetland habitat in the adjacent Guadalupe River during winter flooding events, when wetland habitat in the river is inundated. For all these reasons, permanent impacts on vegetated wetlands in the Plan area would be considered significant under CEQA.

Riparian habitat associated with the Eastside Drainage Swale is described in Section 6.2.3 of the Biological Resources Report.

The Plan has the potential to impact 0.05 acre of mixed riparian woodland associated with the eastern drainage swale. This woodland may be destroyed due to tree removal and replacement with developed structures, and grading or paving over the root zone of riparian trees will impair the health of riparian trees, possibly to the point of causing tree death. Although this riparian vegetation is not particularly high-quality habitat due to its narrow, sparse nature, it is dominated by native riparian species such as blue elderberry and Fremont cottonwood, and due to its proximity to the drainage swale, the Guadalupe River, and the Ulistac Natural Area, this riparian vegetation provides important resources that are used by migratory birds and other wildlife. Owing to the functions and values of this riparian habitat, the importance of woody riparian habitat to birds in the South Bay, and the regional scarcity of riparian habitat due to historical losses of these woodlands, the impact to 0.05 acre of mixed riparian woodland would be considered significant.

Water Board staff concur with the assessment of the habitat value of the Eastern Drainage Swale and its associated riparian habitat. However, we disagree with the assertion that the fill of 0.39 acres of wetlands is a relatively small impact. In the current South Bay area, this is a fairly large impact to remaining habitat. As is discussed in detail in the following comment, we are also concerned that the Draft EIR underestimates the difficulty of providing adequate mitigation for such an impact to waters of the State.

The Draft EIR does not describe concrete mitigation measures for the fill of waters of the State at the Project site.

As is noted above, implementation of the Project may result in the permanent loss of up to 0.39 acres and 810 linear feet of perennial freshwater wetlands within the active channel of the Eastside Drainage Swale if these wetlands are filled or culverted. These wetlands are subject to the regulatory jurisdiction of the Water Board. The Project may also result in the loss of 0.05 acres of associated riparian habitat.

To address impacts to 0.39 acres of wetlands, Chapter 3.3 of the Draft EIR includes Impact BIO-6 and associated Mitigation Measure MM BIO-6.1.

Impact BIO - 6: Construction of the proposed project may result in the permanent loss of 810 linear feet (0.39 acres) of freshwater wetlands. **(Significant Impact)**

Mitigation Measures: The following mitigation measures would minimize impacts to freshwater wetlands to a less than significant level:

MM BIO - 6.1: If avoidance of the wetlands is not proposed, to compensate for the permanent loss of wetlands, perennial marsh habitat shall be restored or created at a minimum ratio of 2:1 (compensation:impact) on an acreage basis, unless a higher ratio is required by a regulatory agency, in which case that higher ratio shall apply. This ratio is not higher due to the relatively low quality of the wetlands in the project area relative to more extensive, less fragmented wetlands elsewhere along the Guadalupe River, but is not lower due to the temporal loss of wetland functions and values that will result from the lag between impacts to the wetlands in the Plan area and maturation of the mitigation habitat.

Compensation will be provided by creating or restoring wetland habitat so as to achieve the 2:1 ratio (or higher ratio, if required by a regulatory agency) somewhere in the Santa Clara Valley. Among other criteria, the mitigation site(s) must not currently be wetlands. A qualified biologist shall develop a "Wetland Mitigation and Monitoring Plan" describing the mitigation, which will contain the following components (or as otherwise modified by regulatory agency permitting conditions):

The Draft EIR asserts that implementation of MM BIO-6.1 would reduce impacts to wetland habitat to a less than significant level. However, the Draft EIR lacks sufficient detail to support that conclusion. Mitigation Measure MM BIO-6.1 does not actually include a wetland mitigation plan; it only requires the future development of a wetland mitigation plan.

Developing a wetland compensatory mitigation plan for impacts to 0.39 acres of wetlands at a 2:1 ration is not a simple process. It is necessary to find sufficient land with the proper hydrology and soil permeability to sustain a minimum of 0.78 acres of mitigation wetlands. In addition to the 0.78-acre footprint of a proposed mitigation wetland, an acceptable mitigation project would require a sufficient buffer area around the mitigation wetland to sustain the habitat values of the mitigation wetland, as well as sufficient area for a watershed large enough to sustain wetland hydrology at the mitigation site. All of this land area must be protected in perpetuity through the recording of a conservation easement, deed restriction, or other form of restrictive covenant acceptable to the Water Board, Corps of Engineers, and California Department of Fish and Wildlife. In light of the high cost of land in the Santa Clara Valley, it is difficult to find sufficient land to support the successful creation of a self-sustaining 0.78-acre mitigation wetland.

Please note that the required amount of wetland mitigation will depend on the similarity of the impacted wetlands to the proposed mitigation wetlands, the uncertainty associated with successful implementation of the mitigation project, the anticipated temporal loss of wetland habitat (i.e., the time between the fill of the impacted wetlands and the full functioning of the mitigation wetland), and the distance between the site of the impact and the site of the mitigation wetland. In-kind mitigation for the fill of wetlands consists of the creation of new wetlands. If the mitigation consists of restoration or enhancement of wetlands, the amount of mitigation will be greater than if the mitigation consists of wetland creation. If there are uncertainties with respect to the availability of sufficient water to supply seasonal wetlands or sufficiently impermeable soils to sustain saturation, then the amount of mitigation would also have to be greater. Finally, the amount of required mitigation increases as the distance between the impact site and the mitigation site increases. Therefore, it is possible that a ratio greater than 2:1 may be required to mitigate for impacts to the Eastside Drainage Swale.

In a CEQA document, a project's potential impacts and proposed mitigation measures should be presented in sufficient detail for readers of the CEQA document to evaluate the likelihood that the proposed remedy will actually reduce impacts to a less than significant level. CEQA requires that mitigation measures for each significant environmental effect be adequate, timely, and resolved by the lead agency. In an adequate CEQA document, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4). Mitigation measures to be identified at some future time are not acceptable. It has been determined by court ruling that such mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required under the California Environmental Quality Act. The current text of the Draft EIR does not demonstrate that it is feasible to mitigate all potentially significant impacts to wetlands that may result from Project implementation to a less than significant level. Impacts to the jurisdictional waters at the Project site, as well as proposed mitigation measures for such impacts, will require review under CEQA before the Water Board can issue permits for those proposed impacts.

The Discussion of MM BIO-6.1 also includes this text:

Alternatively, mitigation may be provided by restoring or creating at a minimum ratio of 2:1 (compensation:impact) on an acreage basis by either: (a) purchasing credits at a suitably located mitigation bank in the Santa Clara Valley approved by the City of Santa Clara; or (b) donating funds to a project undertaking enhancement or restoration of wetland or riparian habitats in the Santa Clara Valley, approved by the City of Santa Clara.

The first proposed alternative form of compensatory mitigation is not feasible at the Project site at this time. Water Board staff are not aware of any mitigation banks or in-lieu fee programs that have available seasonal wetland credits for a service area that includes the Project site. Water Board staff are also not aware of wetland or riparian enhancement or restoration projects in the Santa Clara Valley that are sufficiently large to provide compensatory mitigation for the culverting of the Eastside Drainage Swale. Therefore, the Project will probably need to provide Applicant-responsible compensatory mitigation for impacts to seasonal wetlands.

Response E.2: As explained in the Biological Resources Report in Appendix C-1 to the Draft EIR (and verified by a second consulting biology expert in a memorandum provided in the Final EIR as Appendix C-3), the Eastside Drainage Swale does not exhibit a hydrological connection to the Guadalupe River or any other tributary, and based on historical aerial photographs from 1948 until the present day, the swale/drainage ditch appears to have been excavated in uplands and does not relocate a naturally occurring tributary. Instead, the Eastside Drainage Swale is an entirely man-made ditch, constructed in 1971 as a stormwater run-off conveyance for businesses along Calle del Mundo and Calle de Luna and for the Fairway Glen neighborhood. It empties into the Eastside Storm Retention Basin at 5611 Lafayette Street and, from there, water is pumped into the Guadalupe River as necessary. Appendix C-1, p. 21. The City has an easement over the swale to maintain it and regularly does so by mowing it so that stormwater flow is not obstructed.

The Biological Resources Report assumes that, due to the presence of bulrush and cattail, "it is likely that that swale holds water to the point of producing anaerobic soil conditions that form the definition of hydric soils". Appendix C-1 p. 9. Based on these assumptions, the Report assumes that the land within the swale is wetlands, even though it has no direct, unaltered hydrologic connection to any body of water. While the swale potentially provides habitat for water birds and possibly frog and toad species, the heavily urbanized nature of the Plan Area (93% developed), long history of disturbance in, and routine maintenance of, the swale, and other urban-associated pressures on wildlife populations significantly decrease the value of this habitat to wildlife. For these reasons, the City disagrees with the commenter that the Eastside Drainage Swale is a "locally significant aquatic resource".

The fact that the swale has no natural hydrologic connection to other waterways and a low level of habitat value indicate that it is not a significant wetland. As noted above, the City has an easement over the swale to maintain it and regularly does this by mowing it, highly limiting the value of these wetlands as habitat and negating the argument that it is a significant resource. In addition, the swale is part of the stormwater system, not a natural wetland, which is why the Biological Resources Report notes that the swale has only "some ecological value." Appendix C-1, p. 46. Despite the low value of the swale as habitat, the Draft EIR acknowledges the relative scarcity of wetlands in the region and thus identifies the impact to wetlands as significant regardless of the affected acreage. However, in a regional context (e.g., on the scale of the South Bay), fill of 0.39 acre of constructed wetlands in this ditch is a small impact, both in terms of proportion of regional wetland availability and the ecological functions and values provided by wetlands in the region.

The commenter correctly restates the analysis of potential impacts to the environment from possibly culverting the Eastside Drainage Swale. Section 3.3.2.5 of the Draft EIR identifies the impact to 0.39 acres of freshwater wetlands in the swale as significant in Impact BIO-6. Draft EIR p. 83. The Draft EIR adopts MM BIO-6.1 to minimize impacts to freshwater wetlands to a less than significant level. MM BIO-6.1 requires compensation for wetland impacts at a 2:1 ratio for the impacted acreage by creating or restoring wetlands, and preparation of a Wetland Mitigation and

Monitoring Plan that must be approved by the City prior to the wetland area being impacted, and implemented within one year following impacts.

MM BIO-6.1 describes the components of such a plan, and includes a success criterion for the wetlands to be provided as mitigation. Contrary to the commenter's suggestion that such an approach represents deferral of mitigation, this approach is acceptable, as the mitigation measure describes requirements, establishes the steps by which the specific details of mitigation strategies will be determined, establishes minimum performance criteria by which mitigation success will be evaluated, and identifies a range of feasible measures that may be implemented to achieve the performance standard. CEQA Guidelines § 15126.4(a)(1)(B). It is impractical and premature to prepare the Wetland Mitigation and Monitoring Plan at this time because it is site-specific, and dependent on both specific development plans for the site and the chosen measure (creation of wetlands versus in-lieu fee). Mitigation plans are not required to be circulated with an EIR so long as the relevant mitigation measure identifies the criteria the lead agency will apply in determining that the impact will be mitigated, i.e., a performance standard. See California Native Plant Society v. City of Rancho Cordova (2009) 172 Cal.App.4th 603, 622 ("CNPS") (holding that "[t]he agency was entitled to rely on the results of a future study to fix the exact details of the implementation of the mitigation measures the agency identified in the EIR").

The commenter disagrees with the feasibility and adequacy of MM BIO-6.1, which would establish a mitigation ratio, a widely used tool for regulators to ensure that compensatory mitigation successfully offsets impacted resources. The Draft EIR explains that compensation for the impact would be provided by creating or restoring wetland habitat in the Santa Clara Valley at a 2:1 ratio or higher if required by a regulatory agency. Draft EIR p. 84. Thus, a higher ratio may be required. However, the stated ratio in MM BIO-6.1 is not higher than 2:1 due to the low quality of the wetlands in the project area as compared to the more extensive and less fragmented wetlands elsewhere along the Guadalupe River. The ratio does take into consideration the temporal loss of wetland habitat due to the lag time between impacts to the wetlands and maturation of the mitigation habitat and this is part of the reason that the required ratio is 2:1. *Id*. This 2:1 ratio is appropriate under CEQA. See CNPS at 603 (approving a 1:1 wetland creations ratio and a 2:1 wetlands restoration ratio for a mitigation measure to reduce impacts to 15 acres of wetlands that were habitat for vernal pool fairy shrimp).

The commenter also doubts the potential to develop wetlands in the Santa Clara Valley. Although the proponent of a specific development project will be responsible for proposing an appropriate mitigation location, the City notes as an example that Ulistac Natural Area, located just south of the Plan Area, provides a potential location for wetland mitigation through expansion of a previously constructed wetland into an area dominated by nonnative grassland and scattered invasive trees. The park currently contains areas of wetlands as well as native habitat and a bird and butterfly garden. The park's location along the Guadalupe River connects these habitats with other natural areas in the region including riparian habitats upstream and marsh

habitats downstream. Further, a mitigation measure is not required to identify where offsite mitigation will be located. CNPS at 622 ("the City here did not have to identify exactly where…any offsite mitigation site would be located").

The mitigation measure also allows for a compliance pathway that requires either purchasing credits at a suitably located mitigation bank in the Santa Clara Valley approved by the City or donating funds to a project undertaking enhancement or restoration of wetland or riparian habitats in the Santa Clara Valley, approved by the City. Even if the commenter were to provide evidence of the lack of feasibility of these options, this would not invalidate the mitigation measure as there are options for compliance in the mitigation measure.

The commenter also correctly restates the analysis of potential impacts to the environment from possibly losing mixed riparian woodland associated with the swale. Section 3.3.2.6 of the Draft EIR identifies this impact to mixed riparian woodland as significant. Mitigation measures, including creation of mixed riparian woodland at a 2:1 ratio for the impacted acreage, would be required and subject to the approval of a Wetland Mitigation and Monitoring Plan to ensure any mixed riparian woodland impacts from a development project that proposes to culvert the swale are adequately mitigated. The City notes that the Ulistac Natural Area, south of Tasman Drive, may provide opportunity for creation of mixed riparian woodland.

At the time a specific development project is proposed that would culvert the swale, .any necessary permits for such activity will be obtained from any agencies with regulatory authority over the action.

Comment E.3: The City of Santa Clara should not assume that the resource agencies will allow the culverting of the Eastside Drainage Swale.

The Water Board considers the proposal to culvert 0.39 acres (810 linear feet) of seasonal wetlands in the Eastside Drainage Swale to be a significant amount of fill for a project that is not water dependent. The San Francisco Bay Basin Water Quality Control Plan (Basin Plan) requires that this proposed fill be evaluated with a Clean Water Act Section 404(b)(1) Alternatives Analysis that demonstrates that there is no feasible way to avoid the proposed fill of jurisdictional waters. Since the proposed Project is not a water-dependent project, it is unlikely that the Water Board would issue permits that would authorize the proposed fill of 0.39 acres (810 linear feet) of seasonal wetlands.

Response E.3: This comment is acknowledged. The Project must comply with currently applicable laws and regulations. The Water Board will retain its discretion to review and issue permits for development projects within its jurisdiction.

Comment E.4: The discussion of Hazards does not address the Project area's proximity to a closed landfill.

The discussion of Hazards and Hazardous Materials in Section 3.8 does not discuss the presence of a closed landfill on the northern border of the Project area. Much of the Project area lies within a

1,000-foot distance from the landfill. 27 CCR Section 21190 imposes specific requirements on land uses within this distance of a landfill in subsections (c) and (g):

(c) All proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste.

(g) All on-site construction within 1,000 feet of the boundary of any disposal area shall be designed and constructed in accordance with the following, or in accordance with an equivalent design which will prevent gas migration into the building, unless an exemption has been issued:

1. A geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and sub grade;
2. A permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;
3. A geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;
4. Perforated venting pipes shall be installed within the permeable layer, and shall be designed to operate without clogging;
5. The venting pipe shall be constructed with the ability to be connected to an induced draft exhaust system;
6. Automatic methane gas sensors shall be installed within the permeable gas layer, and inside the building to trigger an audible alarm when methane gas concentrations are detected; and
7. Periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with Article 6, of Subchapter 4 of this chapter (Section 20920 et seq.).

The Project area may also be subject to the Department of Drinking Water's restrictions on installing water supply conveyances within 100 feet of a landfill.

We encourage the City to include the impact of the adjacent landfill on Project construction in the Final EIR for the Project.

Response E.4: The former All Purpose Landfill is identified in *Section 3.8 Hazards and Hazardous Materials* of the Draft EIR. The Draft EIR states (p. 133) that the site is bounded by the Santa Clara Golf & Tennis Club (formerly a portion of the City's All Purpose Landfill) to the north. The Landfill is further described in the Draft EIR (p. 134) as being an approximately 136-acre former landfill adjacent to the project site. The Draft EIR states that groundwater beneath the landfill, primarily on parcel 4 (across Lafayette Street to the west of the Project site) is impacted with VOCs. The mitigation measures addressing VOCs and potential vapor intrusion into proposed buildings (MM HAZ-1.2 to MM HAZ-1.5) are intended to address the potential for development within the Plan Area to disturb such contaminants.

The requirements in 27 C.C.R. § 21190 apply to development undertaken on the site of the former landfill and within 1,000 feet of disposal areas on the landfill site. These regulations do not apply to development that is off the site of the prior landfill but within 1,000 feet of disposal areas. Thus, these regulations are not applicable to the TESP or Draft EIR. As the commenter notes, subsection (g) of 27 C.C.R. § 21190 states that "on-site construction within 1,000 feet of the boundary or any disposal area" must meet certain requirements. The TESP does not contemplate any development on the site of the former landfill and thus these requirements do not apply. The requirements in 27 C.C.R. § 21190 apply only to waste management facilities and disposal sites themselves, not adjacent or nearby sites. See 27 C.C.R. § 21100 ("these regulations apply to disposal sites").

As explained in CalRecycle Legal Advisory 51, detailing Local Enforcement Agency (LEA) oversight of disposal site postclosure land use under 27 C.C.R. section 21190, "Disposal site" or "site" includes the place, location, tract of land, area, or premises in use, intended to be used, or which has been used for the landfill disposal of solid wastes (PRC Section 40122). In practice, this definition means that, "any property located outside the parcel containing the solid waste is not subject to the postclosure land use requirements of 27 CCR 21190, even if the outside property is within 1,000 feet of the waste footprint (27 CCR 21190(c))."[4]

The City notes the commenter's statement that the Project area may be subject to the Department of Drinking Water's restrictions on installing water supply conveyances within 100 feet of a landfill.

Comment E.5: The discussion of Soil and Groundwater Contamination makes several unsubstantiated statements on volatile organic compound (VOC) impacted groundwater.

The discussion of Soil and Groundwater Contamination in Section 3.8.1.2 includes several statements that warrant clarification.

In referring to the SLIC (now referred to as Site Cleanup Program, or SCP) case at 2339 Calle Del Mundo:

The Draft EIR states, "The VOC impacted groundwater appears to have migrated below the northerly adjacent landfill property (current golf course)." Currently, it is not certain whether this VOC plume has impacted the landfill well G-2R, or whether G-2R may be impacted by the landfill leachate (or both), based on significant differences in the elevation of groundwater and leachate near the site.

In referring to the All Purpose Landfill:

[4] CalRecycle. "Disposal Site Postclosure Land Use." August 16, 2018. Accessed October 4, 2018. https://www.calrecycle.ca.gov/lea/advisories/51

The Draft EIR states, "The area of VOC impacted [sic] on parcel 4 is located cross-gradient from the site with respect to groundwater flow direction (northeast) and did not migrate below the site." Until more data is obtained from groundwater and leachate in the southeast portion (or east corner) of Parcel 4, this remains uncertain.

The Draft EIR states, "Two groundwater monitoring wells are located on the southern border of the landfill (Parcel 2) and immediately north of the Plan Area. Low concentrations of VOCs have been detected in ground water from both monitoring wells, one of which is located down-gradient of 2339 Calle Del Mundo, an identified SLIC site discussed above." As noted above, the VOC plume observed at well G-2R has not been clearly identified as an impact by the SCP case or the landfill, or both. Furthermore, in the last several years, the concentrations of chlorinated VOCs have significantly risen in this well, raising an issue over vapor intrusion impacts.

> **Response E.5:** The City notes the commenter's statement that the VOC plume observed at well G-2R has not been clearly identified as an impact by the SCP (formerly SLIC site) or the landfill. The City also notes that concentrations of chlorinated VOCs have significantly risen in this well in the last several years. The Draft EIR analysis identifies that groundwater pollutants are known to be present in various locations in the Plan Area and, furthermore, that potential vapor intrusion would need to be considered with future redevelopment within the Plan Area. Implementation of mitigation measures, MM HAZ-1.1 through MM HAZ-1.6, would ensure that property-specific investigations are completed and any contamination and vapor intrusion concerns are adequately mitigated with oversight by the County DEH, DTSC, or RWQCB for each affected site. These mitigation measures require Vapor Intrusion Investigation prior to redevelopment of the site, Phase II ESAs prior to demolition or construction activities, a corrective action plan, an air monitoring plan, and a vapor intrusion mitigation plan for construction activities on properties with known contaminants of concern, and a site management plan and health safety plan for handling and monitoring impacts to soil, soil vapor, and groundwater that may be encountered during construction activities. These measures are sufficient to address the potential impacts from groundwater contamination at the site and the comment has provided no evidence that the analysis of mitigation measures in the EIR are not sufficient under CEQA.

Comment E.6: The Draft EIR states, "Landfill gas investigations were conducted at the landfill and identified several VOCs in landfill gas. Benzene, ethylbenzene, and vinyl chloride were reported in landfill gas at concentrations exceeding residential and commercial *Environmental Screening Levels* (*ESLs*)." The specific screening levels need to be explained. Note that while the current (2016) ESLs can be applied for most circumstances, they should follow the guidance on the ESL webpage under Vapor Intrusion Updates:
https://www.waterboards.ca.gov/sanfranciscobay/water issues/programs/esl.html

This applies to the generation of more stringent vapor intrusion screening levels for groundwater and soil gas using the USEPA-recommended attenuation factors (0.03 for all soil gas and 0.001 for all groundwater). Also note that the most recent concentration of TCE in G-2R is 51 µg/L, which is over 40 times the residential screening level using the USEPA-recommended attenuation factors.

Response E.6: Refer to Response E.5. The ESLs used to evaluate landfill gas followed the then current guidance from RWQCB (2013). Future redevelopment projects on properties within the Plan Area would be subject to property-specific review for potential contaminants affecting any proposed structures and implementation of effective measures to meet the then current standards for vapor intrusion. Mitigation measures, MM HAZ-1.1 to MM HAZ-1.6, require that individual parcels proposed for redevelopment complete a Phase I Environmental Site Assessment and any subsequent investigations determined by the Phase I ESA to be necessary prior to the issuance of demolition or grading permits. Protective measures may also be required during construction and included in the building designs to avoid impacts to construction workers, residents, and the general public.

Comment E.7: Conclusion

The Draft EIR does not provide sufficient detail with respect to mitigation for Project impacts to wetlands. The Draft EIR should be revised to provide specific mitigation measures for all impacts to waters of the State. The amount of proposed mitigation should include mitigation for temporal losses of any impacted waters of the State. If mitigation is out-of-kind and/or off-site, then the amount of the proposed mitigation should be increased. Proposed mitigation measures should include designs with sufficient detail to show that any created wetlands will have sufficient hydrology to sustain wetland hydrology and vegetation without human intervention. A proposed program for monitoring the success of the mitigation features should also be included with the mitigation proposal(s).

However, it is preferable to revise the Project description to avoid the culverting of 0.39 acres (810 linear feet) of wetlands. Since the Project is not water dependent, the proposed fill of onsite wetlands may not be able to receive a permit from the Water Board for this amount of fill. If the Draft EIR is adopted without either providing concrete mitigation proposals for impacts to wetlands or removing the proposed impacts to wetlands associated with the Project, it is likely that the EIR will not be adequate to support the issuance of CWA Section 401 certification for the culverting of the Eastside Drainage Swale.

Response E.7: Refer to Response E.2. The Draft EIR provides sufficient detail with regard to potential impacts and mitigation for Project impacts related to the wetlands on the Project site.

F. Responses to Comment Letter F from City of Sunnyvale (dated September 11, 2018).

Comment F.1: Thank you for the opportunity to review the Draft Environmental Impact Report for the proposed Tasman East Specific Plan in Santa Clara. This letter includes comprehensive comments from multiple City of Sunnyvale departments with each department representative listed with that party's comments.

General Questions and Comments:

The City of Sunnyvale does not see any discussion on the compatibility of the stadium use to the proposed residential uses, especially from a transportation circulation perspective. The EIR for the Levi's Stadium project mentioned multiple times that the stadium-related circulation changes and

road closures would not be an impact on surrounding uses because those uses were office/industrial and generally closed during stadium events. This will not be the case with the new residential uses and discussion on the topic is warranted, along with updates to the Transportation Management and Operations Plan (TMOP) that was required within the MMRP of the Levi's Stadium EIR.

Response F.1: An EIR is not required to analyze how existing environmental conditions would impact future residents or users of a proposed project. In BAAQMD v. CBIA (2015) 62 Cal. 4th 369, the California Supreme Court stated that agencies subject to CEQA are not required to analyze the impact of existing environmental conditions, such as current traffic, on a project's future users or residents. The core analysis required under CEQA is how the proposed project would affect the environment. As stated in the TIA, the purposes of the transportation analysis is to identify potentially significant adverse impacts of the proposed Project on the surrounding local and regional transportation system, not vice versa. Since Levi's Stadium is an existing land use, the Draft EIR is not required to assess the impacts of stadium event circulation and road closures on the Tasman East Specific Plan or any development proposed thereunder. The Draft EIR did consider cumulative stadium traffic on pages 266 to 267 and found that the Project's contribution to cumulative traffic volumes on game days would be less than six percent during such events and, therefore, would not be cumulatively considerable. This analysis considered the peak traffic scenario of an NFL game scheduled for a Thursday or Monday evening, which only occurs 1 to 2 times per year. Traffic analysis typically focuses on the peak AM and PM periods which occur on a regular basis instead of infrequent events.

The Draft EIR explained the Traffic Management and Operations Plan (TMOP) for Levi's Stadium and stated that "changes in nearby land uses, available parking locations, and residential concerns, necessitate a re-evaluation of the TMOP annually to evaluate the effectiveness of the TMOP and address any concerns that arise from implementation of the TMOP." The Draft EIR further stated that "as the Plan Area develops, it may be necessary to refine the TMOP to ensure that adequate access to the Plan Area is not prohibited by road closures." The City currently closes Tasman Drive between Centennial Boulevard and Convention Center Drive on event days at Levi's Stadium. Adequate vehicular access to and from the Plan Area via Lafayette Street and Tasman Drive east of Lafayette Drive would continue to be provided. As stated above, the City of Santa Clara will review and update the TMOP annually to ensure that circulation issues related to Levi's Stadium and the Tasman East Specific Plan are resolved and that cumulative traffic in the vicinity of the Plan Area and Levi's Stadium is adequately accommodated.

Comment F.2: Traffic and Transportation Comments

The City of Sunnyvale uses criteria of the VTA TIA Guidelines as a basis for determining study intersections. Based on the project trip generation (Table 3-4), project trip distribution (Figure 3-4), and project trip assignment (Figure 3-5), the intersection of Tasman Drive/Lawrence Expressway would have 82 project trips traveling eastbound toward Sunnyvale during the AM peak hour, and 80 project trips traveling westbound from Sunnyvale during the PM peak hour. These project trips

would very likely travel to the intersection of Tasman Drive/Fair Oaks Avenue and therefore, all the signalized intersections along Tasman Drive, east of Fair Oaks Avenue, should be considered as study intersections in this EIR because the proposed project is expected to add 10 or more peak hour vehicles per lane to these intersections. The City of Sunnyvale typically analyzes traffic conditions at the study intersections during the AM (7-10) and PM (4-7) peak hours under existing and future analysis scenarios. The following Sunnyvale intersections should be included in this study:

a. Tasman Drive/Reamwood Avenue
b. Tasman Drive/Adobe Wells Street
c. Tasman Drive/Birchwood Drive
d. Tasman Drive/Vienna Drive
e. Tasman Drive/Fair Oaks Avenue

Response F.2: The identified intersections were not studied in the Draft EIR because the VTA TIA Guidelines[5] state that only CMP intersections must be included in a TIA if the proposed project is expected to add 10 or more peak hour vehicles per lane to any intersection movement. Otherwise, it is up to the discretion of the lead agency to choose which non-CMP intersections to analyze. Because the identified intersections are not CMP intersections, no analysis in the Draft EIR was required. Based upon the expertise of the City transportation staff and the City's transportation consultant for this EIR, only key signalized intersections and freeway segments in the vicinity of the site were studied.

In determining which intersections to study in the Draft EIR, the City also reviewed the City Place EIR cumulative traffic analysis which assumed development of the Tasman East Specific Plan area. That analysis identified the following levels of service for several of the intersections requested for study, as shown below:

- Tasman Drive/Reamwood Avenue – LOS D (AM) and LOS B (PM)
- Tasman Drive/Birchwood Drive – LOS B (AM) and LOS C (PM)
- Tasman Drive/Vienna Drive – LOS B (AM) and LOS B (PM)

Given that levels of service identified in that cumulative scenario were based on forecasts from the citywide traffic model and were found under cumulative conditions to have less than significant cumulative traffic impacts it was assumed that the Project would not significantly impact these intersections and thus were not chosen for study in the Draft EIR.

The intersection of Tasman Drive/Adobe Wells Street was not studied in the CityPlace EIR because the adjacent intersections of Tasman Drive/Reamwood Avenue and Tasman Drive/Birchwood Drive were not significantly impacted by CityPlace traffic under cumulative conditions, as shown above. Since the CityPlace cumulative conditions included the Project and showed the adjacent intersection of

[5] VTA. *TIA Guidelines*. October 2014. Page 9.

Tasman Drive/Reamwood Avenue was at LOS D and Tasman Drive/Birchwood Drive was at LOS C, neither approaching an unacceptable LOS E, analyzing the Tasman Drive/Adobe Wells Street, therefore, was determined to not be necessary.

The intersection of Tasman Drive/Fair Oaks Avenue was also studied in the City Place EIR cumulative scenario and was determined to have a significant traffic impact that can be reduced to a less than significant level with mitigation by reconfiguring the eastbound approach to one left-turn lane, one through lane, and one shared through/right-turn lane. Based on this comment, the City also reviewed the assumptions for project trips using a through movement at Tasman Drive and Lawrence Expressway. The City's transportation staff and transportation consultant determined the project trip assignment (under Existing Plus Project Conditions) should assume a larger proportion of project trips than assumed in the Draft EIR would turn northbound and southbound on Lawrence Expressway, reducing through trips on Tasman Drive to 26 vehicles traveling westbound during the AM peak hour and 24 vehicles traveling eastbound in the PM peak hour. Refer to *Section 5.0 Draft EIR Text Revisions*. Given the assumed directionality of Tasman East project trips (primarily north/south) at the intersection of Tasman Drive and Lawrence Expressway, the Project would avoid substantial additional trips at the Tasman Drive/Fair Oaks Avenue intersection. Therefore, this intersection would operate at an acceptable level of service with implementation of the Tasman East Specific Plan and would not result in any impact under the project or cumulative scenario.

Comment F.3: The project site is located near the easterly boundary of the City of Sunnyvale; however, relevant approved projects within Sunnyvale were not included in the study estimates of the Background traffic volumes. Similarly, pending projects were not incorporated in the cumulative traffic volume estimates. Not including these projects potentially underestimates the growth in the study area under the Background and Cumulative conditions.

Response F.3: The Draft EIR, Appendix G, has been revised to include an updated list of approved projects, including those in the City of Sunnyvale, that were considered in the background scenario for the traffic analysis. These projects were included in the transportation analysis in the TIA (see TIA Appendix E). The cumulative traffic analysis relied on the VTA regional model as well as a review of pending development for Santa Clara, North San José, and north Sunnyvale as described in Section 3.14.2.11 of the Draft EIR. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment F.4: An analysis of the School PM peak hour (2 PM to 4 PM) should be included to assess the project impact associated with the proposed school.

Response F.4: The VTA TIA Guidelines state that the TIA shall include an analysis of transportation conditions in the peak hours for which the Project generates 100 or more net new trips (VTA TIA Guidelines p. 19). Morning (7-9 AM) and afternoon (4-6 PM) peak hour traffic conditions are studied because these periods constitute the most congested traffic conditions. The VTA TIA Guidelines state that a lead agency may require that additional periods be analyzed, but need not require this if it is

deemed not necessary based on the lead agency's engineering judgment. The City determined that traffic levels present during the school PM peak hour from 2-4 PM would be less than the PM peak hour (4-6 PM). For these reasons, the traffic analysis does not study the School PM peak hour (2-4 PM). However, the TIA does account for the school's contribution to the most congested commute peak hours (AM peak hour 7-9 and PM peak hour 4-6). Trips created by the proposed school were included in the traffic model in the Draft EIR.

Comment F.5: If the project were to have significant impacts on any Sunnyvale intersections, the project shall pay a fair-share payment contribution based on City of Sunnyvale's traffic impact fee schedule.

Response F.5: The Draft EIR concluded that there would be no significant traffic impacts to any City of Sunnyvale intersections under either the background or cumulative scenarios.

Comment F.6: Environmental Services Department Comments

The WSA for the project states that the proposed development will result in an increase of 627.3 acre feet (AF) per year in water demand (pumped from groundwater). Last year (2017) Santa Clara pumped 12,200 AF and the 2015 Urban Water Management Plan (filed with DWR) states that the City of Santa Clara can utilize up to 23,048 AF per year from its wells.

Page 14 of the WSA states that, "During a multiple dry year event, the City projects no reduction in supplies from groundwater." The City of Sunnyvale would like to see this statement verified by the Santa Clara Valley Water District (SCVWD) and the San Francisco Public Utilities Commission (SFPUC) due to the fact that the most recent drought severely impacted groundwater levels and has caused concern of ground subsidence due to the depleted levels of water in the aquifer. According to the Annual Groundwater Report (2017) by the SCVWD, Santa Clara is the second highest groundwater user in the County and with this increase in water needs, the City of Sunnyvale is concerned with the results of the WSA.

Response F.6: The SCVWD's Urban Water Management Plan (UWMP) documents information on water supply, water use, water conservation programs, water shortage contingency planning, and water supply reliability in Santa Clara County under different scenarios. The City's WSA for the project considered the SCVWD's UWMP to ensure that no significant depletion of the aquifer nor ground subsidence would result from the project.

The WSA projects the City's future water supplies for 2020 through 2040 in Tables 2A and 2B of Appendix H. Table 2A shows project water supply with assumed interruption of SFPUC water supply after 2018. The WSA also projects water demand based on an "End Use" model. The WSA and the City project no reduction in supplies from groundwater during a multiple dry year event because in prior years during drought, the district has not notified the City of any issues related to pumping water out of the basin and thus there is no reason to believe that in future years of drought pumping would be a concern. The SCVWD actively manages groundwater

in the Santa Clara Valley from multiple sources to ensure adequate supply in normal and dry years. The WSA shows that, in a multiple dry year event, there is a projected shortfall in available water supplies after 2035 if the City does not receive SFPUC water supply after 2018 (Appendix H). However, the difference in supply can be made up through water provided by projected future water supply projects discussed in the 2015 UWMP. These assumptions are also conservative as they do not assume that mandatory conservation measures and increased recycled water usage would occur, even though those would be expected to reduce potable water demand during a multiple dry year event.

Based on the conservative assumptions in the WSA, the Draft EIR found that there would be a less than significant impact on water service and supply from implementation of the Project (Section 3.15.2.2). This finding is based on the ability to pump additional groundwater, relying on more recycled water, and increased conservation. The Project will connect to the Regional Wastewater Facility's reclaimed water pipeline primarily for irrigation purposes, but would also allow for dual plumbing relying on recycled water in some buildings, as feasible. The main transmission line for recycled water from San José enters the City on Tasman Drive on the west bank of the Guadalupe River and there is a 30-inch transmission main at Calle Del Sol and Tasman Drive.

The SFPUC does not supply or manage any groundwater in Santa Clara County. While the SCVWD does manage the Santa Clara groundwater basin, it does not provide a sustainable yield value (i.e. volume of water that can be sustainably pumped from the groundwater basin). In addition, the Santa Clara ground water basin is not adjudicated and, therefore, individual ground water pumpers do not have set limits on the amount of water they can pump. See language from SCVWD 2016 Groundwater Management Plan below:

The District does not manage to a particular value for sustainable yield, but instead manages groundwater to maintain sustainable conditions through annual operations and long-term water supply planning. Annual operations planning considers available water supplies and projected demands in determining the source and volume of water to be delivered for managed recharge, drinking water treatment, or other use. Each year, the District evaluates the projected end of year groundwater storage to determine if short-term water use reduction is needed in accordance with the Water Shortage Contingency Plan. The District's long-term water supply planning efforts account for maintaining adequate groundwater supplies and reserves in related water system modeling and analysis.

While the City does not project reductions in overall groundwater supply, the City has worked and will continue to work with the SCVWD to proactively manage pumping operations to avoid lowering groundwater levels to subsidence thresholds. Also, it should be noted that in an effort to maintain a conservative water supply analysis, the single and multiple dry year analysis included in the Water Supply Assessment does not include any short-term water conservation efforts and includes other conservative assumptions, as explained above. However, in the past the City

has been very successful in implementing conservation measures when necessary in order to substantially reduce overall water demand. The City will continue to utilize short term conservation measures when needed as identified in the City's Water Shortage Contingency Plan.

Comment F.7: It is important to note that there is currently no intertie that exists along Tasman Drive.

Response F.7: The City believes that the existing water supply infrastructure in the vicinity of the Plan Area is adequate to support implementation of the Project and no new emergency intertie on Tasman Drive is required to serve the TESP. Although there is currently no emergency intertie on Tasman Drive, the City has collaboratively worked with Sunnyvale to construct 11 emergency interties that benefit both cities. The City has also constructed interties with other agencies, further enhancing system reliability.

G. Responses to Comment Letter G from Santa Clara Unified School District (dated September 13, 2018).

Comment G.1: The Santa Clara Unified School District (District or SCUSD) appreciates the opportunity to respond to the Draft Environmental Impact Report (DEIR) for the Tasman East Specific Plan (TESP), by the City of Santa Clara. The TESP is proposing up to 4,500 residential units including apartments, townhomes, condominiums and single family homes both for sale and rent. The combination of these attributes in new developments will attract families, thereby resulting in impacts to the SCUSD and surrounding community. In our letter dated August 7, 2017 the District recommended several additional topics the EIR should study.

Since the California Department of Education requires school sites to adhere to strict placement regulations as found in Title 5 of the California Education Code, the District requested that the EIR study the best location for the two acre school and parks within the development and that TESP indicate the exact location of the school and parks in order to provide the greatest benefit to the community. This study was not included in the DEIR and the exact location of the school and parks were not identified. The District is concerned that without a designated location, the developers may not include a school or enough public facilities to support the development or try to locate them where schools cannot be constructed. SCUSD encourages the City to add a designated location for the school, which will be able to be approved by the State of California.

Response G.1: The City has allowed for an urban school within the boundaries of the Plan Area. Per the Governor's Office of Planning and Research's Planner's Guide to Specific Plans, the purpose of a specific plan is to "effectively [establish] a link between implementing policies of the general plan and the individual development proposals in a defined area" and "may be as general as setting forth broad policy concepts."[6] More generally, a specific plan is designed to designate general land uses

[6] http://opr.ca.gov/docs/specific_plans.pdf

in an area, but leave open the flexibility for development and design in the future. Therefore, the City has not yet chosen the area for the school or for several other aspects of the TESP, such as parks and buildings. The TESP itself builds in flexibility for such locations and analyzes impacts in sufficient detail for whatever ultimate locations are selected. The City does note that although the TESP does not provide a specific location for the school, Section 2.3.9 of the DEIR states that the school must be located accessible to one acre of open space.

Comment G.2: Adding a school site to the TESP will greatly reduce the pressure of the proposed development's impacts to the student population at Katherine Hughes Elementary. The District requested the EIR study the opportunities for a safe and secure pathway for students and community members to walk or bike between the TESP and Katherine Hughes Elementary as an interim mitigation measure, until there are enough funds to construct a new elementary in the TESP. Although the DEIR does mention that the TESP would ensure clear and safe pedestrian circulation and that convenience, safety and integrated access would be prioritized for all modes of transportation, the DEIR did not specifically study or mention safe routes in relation to nearby SCUSD schools, Kathryn Hughes Elementary and Don Callejon Elementary and Middle School.

Response G.2: With respect to the construction of a new elementary school within the Plan Area, the Draft EIR found in Section 3.12.2.4 that the Project, even without constructing a new school, would not result in significant impacts to local schools. The existing network of sidewalks and crosswalks would provide safe and convenient access for students to schools in the vicinity of the Plan Area.

Access from the Plan Area to SCUSD schools south of Tasman Drive for pedestrians and bicyclists is provided via crosswalks located at Calle Del Sol and Lick Mill Boulevard. Sidewalks are located on the south side of Tasman Drive and along both sides of Lick Mill Boulevard. Students attending Kathryn Hughes Elementary School would use a public sidewalk at midblock on Tasman Drive between Calle Del Sol and Lick Mill Boulevard to access Calle De Escuela and the elementary school. Students attending Don Callejon School would travel south on Lick Mill Boulevard using existing sidewalks to access the school. The TESP would also increase pedestrian accessibility to the Plan Area as compared to existing conditions. Pedestrian corridors will be provided throughout the Plan Area, as explained in Chapter 2.3 Project Description of the Draft EIR. Draft EIR section 2.3.3, Circulation Improvements, also explains that Lick Mill Boulevard will be extended through the Plan Area, while Calle Del Sol and Calle De Luna would both be widened. Further pedestrian improvements for the Project are described in section 2.3.3.2 of the Draft EIR.

Comment G.3: The District requested the EIR traffic study to assess intersections around the schools, including Tasman Drive and Lafayette Street, Lafayette Street and Calle de Primavera, Lick Mill Boulevard and Tasman Drive, and Montague Expressway and Lick Mill Boulevard when school is in session during pick up and drop off. Traffic studies included only two of the intersections and at AM (7:00 AM and 9:00AM) and PM (4:00 PM and 6:00 PM) peak hours. The study was not done during typical school pick up times.

Response G.3: The Draft EIR analyzed three of the intersections mentioned by the District: Lafayette and Calle de Primavera (Intersection #13), Lick Mill and Tasman (Intersection #24), and Montague and Lick Mill (Intersection #26). Tasman Drive and Lafayette Street is not an intersection as Tasman Drive is a raised thoroughfare over Lafayette Street. The Project would reconfigure the Lafayette Street and Calle De Primavera intersection to include two left-turn lanes and one right-turn lane as mitigation for cumulative impacts to the intersection. Both intersections of Lick Mill Boulevard at Tasman Drive and Montague Expressway were shown to be significantly impacted under cumulative conditions and no feasible mitigation exists. Thus, those cumulative impacts are significant and unavoidable. Please refer to Response F.4 above as to why the EIR analyzed the intersections during the AM and PM peak periods rather than other time periods.

Comment G.4: The District requested that the EIR include a study of the routes students will take from outside the development in order to attend the proposed school in the TESP. Without an exact school location identified on the site, this study could not be done. A school of 600 students will have a staff and volunteers of approximately 50 each day. Many staff and parents will drive their children to school, if they do not live in the TESP. This will add additional traffic to the area during the pick-up and drop-off times. The Existing Project Trip Generation Estimates in Table 3.14-5 of the DEIR only accounts for 390 students generating vehicle trips to the proposed school with a 35% reduction to account for students residing in Tasman East walking and biking to school.

Response G.4: Please see Response F.4 above. The Draft EIR analyzed the impacts of traffic related to redevelopment within the Plan Area, including trips associated with a 600-student school. Sixty-five percent of students attending the school (390 students) were assumed to live outside the Plan Area and be driven to school, thus vehicular trips associated with those students are reflected in the level of service analysis in the Draft EIR. Standard school trip generation rates were also assumed to account for staff and volunteer trips. Trip generation estimates for the proposed school were calculated based on trip generation rates of comparable urban schools in the Bay Area as described in Draft EIR Appendix G. Residential trip generation rates include trips for parents driving their children to school. The TESP includes bicycle and pedestrian improvements as described in the EIR that would provide adequate access points to and circulation through the Plan Area to any location proposed for use as a school. Because the commenter does not provide any specific information contradicting the assumptions in the Draft EIR and TIA, no further response can be provided.

Comment G.5: In order for the District to be able to accommodate all students within the District, the District requires a voluntary community benefit payment from the developers in addition to the statutory developer fee. All state and local jurisdictions affected from the Project will collect 100% or more of the calculated impact of the project, except the SCUSD. School districts are at a disadvantage when collecting funds for capital improvements, since districts are restricted to charging a set amount per square foot of a new development. The statutory developer fee mandated by SB 50 ("Statutory Developer Fee") for residential construction is currently $3.79 per square foot and the industrial and commercial construction is currently $0.61

per square foot. The Statutory Developer Fee does not adequately cover the land purchase, design, and construction cost incurred by the District for new or expanded school facilities.

The District's Residential Development School Fee Justification Study (RS), dated March 12, 2018, calculates the actual school facilities cost impact per residential square foot for detached single family homes to be $20.90 per square foot and $28.89 per square foot for multi-family attached houses. This is a deficit of $17.11 for single family and $28.28 for multi-family new residential per square foot constructed.

The District's Commercial/Industrial Development School Fee Justification Study (CID), dated March 12, 2018, calculates the actual net school facilities cost impact of retail new construction to be $1.99 per square foot. This is a deficit of $1.38 per square foot of retail constructed. The CID calculates the actual net impact of office space is $3.12 per square foot, which is a deficit of $2.51 per square foot. Therefore, the Santa Clara Unified School District is requesting developers provide for full mitigation of their impact through a combination of a voluntary community benefit payment and the Statutory Development Fee equal to the calculated impact in the SCUSD CID Study.

Response G.5: As noted in Response G.1, the Draft EIR indicates that the impacts of the Project on local schools are less than significant. Section 3.12.2.4 of the Draft EIR also indicates that all developers will pay the appropriate Statutory Development Fees to SCUSD to mitigate their development's impacts to the SCUSD. As the Draft EIR explains, per Government Code § 65996(b), payment of standard school impact fees is deemed to fully offset and mitigate the demands and impacts of new development on school facilities. The statewide statutory maximum for school impact fees that may be levied on a development is set by the Government Code-residential developments at $1.93 per square foot and commercial developments at $0.31 per square foot-and increased every two years by the State Allocation Board [Government Code § 65995(b)(1)-(3)]. Thus, the amount of fees that the District may charge a development is not a matter within the City's control or authority. Any development fee beyond the legislatively determined Statutory Development Fees (e.g., the deficits per square foot for single family residential, multi-family residential, retail, and office cited by commenter) would be voluntary and is not required under CEQA or any other law or regulation. Per State CEQA Guidelines § 15131, the focus of the Draft EIR is on the physical environmental effects of the Project rather than social or economic issues, except where social or economic issues are known to have demonstrable physical impacts. *City of Hayward v. Board of Trustees of the California State University* (2012) 204 Cal.App.4th 446. As the Draft EIR found no impacts to school facilities from Project implementation, no further response is necessary.

Comment G.6: The combination of constantly increasing construction costs combined with lack of existing capacity in District schools, make it imperative the District continually plan for and collect adequate funding for school construction. The District will not support approval of the TESP or any project within the TESP, without a designated school site within the Tasman East Specific Plan or nearby, and a requirement of all developers to provide full mitigation of their impact through a combination of voluntary community payments and the applicable Statutory

Development Fee. The City and District must work together to create the best community for all residents.

Response G.6: As noted in Response G.1, the purpose of a specific plan is to create parameters for the development of an area, but to leave the specific development plans open for future projects. Thus, identifying the location of a school that may or may not be built as part of TESP implementation is not required. As noted in Response G.2, the Draft EIR found that the Project will not have a significant impact on local schools. The City has not yet determined the appropriate location for the school within the Plan Area and therefore will not now be designating a site within the TESP. As noted in Response G.5 above, every developer within the Plan Area will pay the standard school impact fees under Government Code § 65996. Anything paid by the developers beyond the standard school impact fees required by Government Code § 65996 would be voluntary and is not required under CEQA.

H. Responses to Comment Letter H from Santa Clara Valley Transportation Authority (dated September 13, 2018).

Comment H.1: Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Tasman East Specific Plan. VTA appreciates our involvement in the Tasman East Specific Plan Technical Advisory Committee. This project presents a prime opportunity to implement the City and VTA's shared goals to improve transit options to encourage the public to use transit further, and improve travel time reliability. VTA is encouraged by the proposed Specific Plan's increased development densities that will generate ridership, specifically at the doorstep of the Lick Mill Station. However, VTA is concerned that project traffic generated by the Tasman East Specific Plan could slow down transit at the expense of customers, workers and residents of Santa Clara, and to VTA's operations.

VTA recommends a shared, holistic approach and coordinated action with the City to take on the tremendous growth opportunity occurring in North Santa Clara in the Tasman East area, neighboring developments (e.g., City Place and Levi's Stadium), potential developments (e.g., 3005 Democracy Way), and the forthcoming nearby Patrick Henry and Freedom Circle Specific Plan areas. As these developments and plans come forward, VTA is prepared to partner with the City to consider the area's new travel demand and how the potential effects of congestion are affecting multimodal travel, particularly transit. VTA and the City can steward this once-in-a-lifetime opportunity for growth while improving the viability of transit, which will be critical to the success of a sustainable, urban future for North Santa Clara.

VTA supports the Specific Plan, as noted in our previous Tasman East Specific Plan comment letters, and highlights the following key issues:

Impacts to Transit Travel Times
Impacts to Congestion Management Program (CMP) Freeway Segments

Impacts on Transit Travel Times

The DEIR/TIA identifies a significant and unavoidable impact to Light Rail travel times of approximately two to three minutes of delay, and states there are no feasible mitigation measures (DEIR p.253/TIA p. 117). The DEIR/TIA notes that transit signal priority currently exists along Tasman Drive, and that "significant increased delays are estimated to result from the project" (DEIR pp.253-254).

VTA notes that the DEIR/TIA should be updated to reflect the operation of two Light Rail lines (i.e., Green Line and Orange Line) along the Tasman Corridor, per the VTA Board-approved Next Network Plan. The DEIR/TIA currently notes the operation of one Light Rail line.

Response H.1: The City appreciates VTA's involvement in the Tasman East Specific Plan Technical Advisory Committee and its support of the TESP. As stated by VTA, the Draft EIR analyzed impacts to light rail travel times and found that implementation of the Project could result in delays to light rail operations of up to two to three minutes during the AM and PM peak hours. The Draft EIR identified this impact as a significant and unavoidable impact (Impact TRANS-5) on the light rail line, though the delay constitutes less than one percent of the total travel time on that route. As explained in the Draft EIR, providing signal priority to the light rail is currently the only feasible means to minimize the delays caused to the light rail by increased congestion. This signal priority is already in place along the Tasman Drive corridor. Please also refer to Response H.2 below for more information on feasibility of other measures to reduce transit delay.

Currently VTA operates only one light rail line along the Tasman Drive corridor. While, the Next Network Plan has been approved by the VTA Board, there is no timeframe for implementation. The TIA states that the Next Network transit plan will be implemented "when operating funds become available." Refer to Appendix G TIA p. 49. In addition, the impact described in the Draft EIR would remain the same whether one line or two lines are operating adjacent to the Plan Area on Tasman Drive, as the impact applies to trains being delayed by two to three minutes during the peak hours of travel and is not dependent on the number of lines operating or the number of trains passing through the Lick Mill LRT Station. Therefore, no additional analysis is warranted.

Comment H.2: Per VTA's analysis, an average delay per train of two to three minutes would constitute over 4,000 annual hours of delay over the two Light Rail lines that will be operating through this area, which would cost VTA over $1M annually in additional operating costs.

The additional operating costs associated with this delay include additional light rail vehicles deployed to provide the same frequency of service as stated in the approved Next Network Plan. The DEIR/TIA makes clear that project traffic resulting from the Tasman East Specific Plan would contribute new congestion along the Tasman Corridor at intersections between Great America Parkway and North First Street, degrading Light Rail travel times. The DEIR/TIA states that no feasible mitigation measures exist. VTA disagrees and notes that strengthened transit priority measures exist, such as full Transit Signal Preemption along the Tasman Corridor through the City

of Santa Clara, which would constitute a feasible mitigation for this impact. VTA recommends that additional analysis be conducted that includes the cumulative impacts to both light rail lines, and a full analysis assuming Transit Signal Preemption through this corridor.

VTA welcomes the Tasman East Specific Plan's proposed development densities to create a "transit-oriented neighborhood" and underscores that doing so requires concurrent off-setting mitigation of impacts to transit in order to enhance travel times, and emphasize the appeal of transit for travelers in the corridor.

Response H.2: Refer to Response H.1. It should also be noted that the transit delays identified in the Draft EIR would occur only during the AM and PM peak hours of traffic. The City of Santa Clara is working cooperatively with the VTA to enhance light rail operations in the Tasman corridor and within North Santa Clara. The City's traffic control system on Tasman Drive would require extensive revisions and updating to implement full transit signal preemption. For full signal pre-emption to provide meaningful reductions in travel times it would also need to be implemented across other jurisdictions along the LRT line and is not currently in place in other jurisdictions served by the LRT line. Additionally, the City is responsible for the adequate movement of pedestrians, bicycles, and vehicles both along and across Tasman Drive. Full transit signal preemption would prioritize light rail over all of these other modes and, therefore, would not maximize mobility on the corridor when the volumes and ridership for all modes are considered. It would also likely create impacts to other modes of transportation. In addition, full transit signal preemption would preempt emergency vehicles from adequate access and mobility in the Tasman Drive area. Because full transit signal preemption would cause adverse secondary impacts on emergency response vehicles, vehicles, bicyclists, and pedestrians, it is not currently feasible in the Tasman corridor and is not adopted as a mitigation measure in the EIR. CEQA Guidelines § 15364. The City will work with the VTA to identify feasible options to increase mobility for all modes along the Tasman corridor.

As to potential operating cost increases due to transit delay, the Draft EIR is required only to analyze and mitigate for the physical environmental impacts of the Project. Economic considerations are not required in a CEQA analysis. *City of Hayward v. Board of Trustees of the California State University* (2012) 204 Cal.App.4th 446.

Comment H.3: Ongoing Coordination between City of Santa Clara and VTA

VTA appreciates that the City of Santa Clara and VTA are taking steps to discuss the opportunities and challenges for land use and transportation in North Santa Clara, with a meeting scheduled for October 1, 2018. From a comprehensive, long-range planning perspective, VTA is concerned that North Santa Clara's burgeoning growth could continuously degrade transit travel times, and burden VTA and tax payers with increased light rail operating costs. However, VTA and the City can change this trajectory through partnership to preserve and enhance multimodal travel through the Tasman Corridor.

Response H.3: Refer to Responses H.1 and H.2. The City will continue to partner with VTA to address land use and transportation in North Santa Clara.

Comment H.4: Relationship to Tasman Complete Streets Study

VTA and the City are partnered on existing efforts such as the Tasman Complete Streets Study, which is finalizing a conceptual vision (10% design) for the interjurisdictional Tasman Corridor. The City has affirmed the direction of the Tasman Complete Streets Study. The strengthened transit priority measures recommended by VTA for the Tasman East Specific Plan would not precluded by the Tasman Complete Streets Study. The "Phase 2" of the Tasman Complete Streets Study would include a full traffic operational analysis, engineering, and design work that could support Transit Signal Preemption or strengthened transit priority measures, subject to stakeholder input.

Response H.4: This comment is acknowledged. The City will continue to work with VTA to improve mobility for all modes on the Tasman corridor.

Comment H.5: Impacts to CMP Freeway Segments

The TIA identifies 16 directional freeway segment impacts (p. 66). The TIA notes that VTA has a Voluntary Contribution Program and that the project has the option to contribute toward such program (p. 72). VTA recommends providing a Voluntary Contribution toward regional transportation improvements in or near the impacted facilities from the latest Valley Transportation Plan (e.g. SR 237 Express Lanes Phase III, and US 101 Express Lanes), pedestrian/bicycle/transit improvements proposed through the Tasman Corridor Complete Streets Study, or the implementation of an upgraded Great America Intermodal Station (which will be studied through the Santa Clara MIP). VTA would like to begin coordination on this Voluntary Contribution opportunity prior to finalizing the EIR.

Response H.5: The Draft EIR identifies impacts to 16 freeway segments under Existing Plus Project Conditions (Impact TRANS-2). The Draft EIR explains impacts on freeway segment levels of service in section 3.14.2.3. The Draft EIR finds that the project would result in significant impacts on mixed-flow lanes and HOV lanes on the study freeway segments during at least one peak hour (Draft EIR p. 236, 268). Full mitigation of these impacts would require roadway widening to construct additional through lanes, thereby increasing freeway capacity. As explained in the Draft EIR and TIA, mitigation of these impacts is beyond the control of the City of Santa Clara as lead agency and beyond the scope of any one individual project as neither the City nor Project have the authority to approve and acquire right-of-way for freeway widening or fully fund a major freeway mainline improvement. The Draft EIR also explains that no comprehensive program to add through lanes has been developed by Caltrans or VTA for individual projects to contribute to and thus impacts on freeway segments would remain significant and unavoidable. Draft EIR p. 236, 268. The TIA mentions the possibility of contributing to the VTA's voluntary program, however, no feasible mitigation exists to reduce these impacts to less than significant.

The City is not obligated to provide a voluntary contribution toward regional transportation improvements because this contribution would not mitigate the impacts of the Project.

Comment H.6: California Public Utilities Commission (CPUC) Permits

Should effects of the Tasman East Specific Plan modify existing crossings of light rail tracks, specifically at Tasman Drive/Lick Mill Parkway or Tasman Drive/Calle del Sol, the Project will require review by the CPUC of the Project's effect on the existing light rail crossings, specifically the filing of the G088-B application and others per CPUC General Order 88-B and 75-D. CPUC requires VTA's concurrence related to modifications to these crossings.

Thank you for the opportunity to review this project. VTA looks forward to continuing and improving our coordinated planning efforts with the City of Santa Clara on the Tasman East Specific Plan, North Santa Clara area, and other joint efforts that will contribute toward a sustainable future for land use and transportation.

Response H.6: Refer to Response A.2.

I. Responses to Comment Letter I from Santa Clara Valley Water District (dated September 13, 2018).

Comment I.1: The Santa Clara Valley Water District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the Tasman East Specific Plan, dated July 2018 and received by the District on July 30, 2018.

The District owns property along the easterly side of the site over the Guadalupe River. If any work is proposed on the District's property, such as trail connections, issuance of a District permit as per the District's Water Resources Protection Ordinance will be necessary. In such case the District will be a responsible agency under CEQA.

Based on our review of the DEIR the following comments were previously provided to the City on January 11, 2017 regarding the Notice of Preparation and do not appear to have been addressed in the DEIR:

The project description notes that the project will include connections to the Guadalupe River Trail which is located on District property along the top of levee maintenance road and operated by the City of Santa Clara under a Joint Use Agreement with the District. Any new connection point to the trail need to be open to the public at large and may require modification of the existing Joint Use Agreement to include the new access.

Connection points that are not located at existing street crossings of the river, can negatively impact the structural integrity of the levee and District levee maintenance operations. Connections to the trail should be coordinated with the adjacent City Place development to minimize the number and access points within this overall reach of the river. The City should have an overall plan for trail access points as the District will not allow access points to be constructed at each development along the river. Additionally, such connections should utilize placement of fill

adjacent to the levee as it minimizes the levee height. Also, note the existing trail is unpaved and the District will not allow paving of the existing west side levee trail.

Response I.1: A specific location for the planned trail connection has not been identified; however, any connection to the existing unpaved trail on the levee would be coordinated with the SCVWD (a Responsible Agency) and proposed in conjunction with park development in the planned River District. Draft EIR p. 19. It is not expected that implementation of these facilities would have any environmental impacts on the levee or on flood protection activities. The adjacent City Place development to the north identified two access points at the northerly and southerly ends of that project boundary. The City may coordinate the planned trail access from Tasman East with the southerly trail access from City Place. The Tasman East Specific Plan does not propose to pave the existing Guadalupe River Trail.

Comment I.2: Development and landscaping of the area along the levee should consider opportunities such as site layout, fencing, landscaping, and education to discourage the public from creating pioneer trails up the levee slope to access the existing trail. Pioneer trails are problematic as they negatively impact the levee integrity, levee maintenance, drainage, and create liability issues.

Response I.2: At the time specific development proposals are submitted, including construction of park facilities, efforts to avoid the creation of pioneer trails would be incorporated in the plans in accordance with revised mitigation measure, MM BIO-8.1. Proposed development adjacent to and/or connecting to the levee would be referred to the SCVWD for review. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.3: As noted in previous communications to the City, the project should consider the potential for regulatory requirements to change from 100-year to 200-year flood protection and climate change in the future. The 200-year requirement has been imposed in other parts of the Country and State so the possibly [sic] of such a change exists. Generally, levee raising is preferable to floodwalls, but it requires a larger footprint.

Response I.3: The City's current floodplain ordinance addresses development subject to the 100-year flood consistent with Federal Emergency Management Agency requirements. Additionally, the CEQA Guidelines checklist specifically requires that an EIR address 100-year flood impacts. For these reasons, the Draft EIR, analyzed the impacts of the project on the 100-year flood in *Section 3.9 Hydrology and Water Quality*. In the event that the federal or State government implements new requirements the City's ordinance may be amended. The TESP is not proposed to serve as a means to modify the existing City ordinance citywide or for properties within the Plan Area at this time.

Comment I.4: The levee for the Guadalupe River is located along the east side of the site. To protect the levee and allow for adequate room for emergency access in the event that the levee is compromised, buildings should be adequately setback from the levee and landscaping should allow for a 15-foot tree free zone from the levee toe to meet Army Corps of Engineers levee guidelines.

Response I.4: Mitigation measure, MM BIO-8.1, has been revised to include a requirement that any landscaping within the 100-foot riparian buffer avoid planting of trees within 15 feet of the levee toe. MM BIO-8.1 currently provides that no new buildings or structures, impervious surface, or non-native landscaping shall occur within 75 feet of the buffer. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.5: The District records indicate that there are 14 active wells within the project site and possibly one abandoned well. If currently active wells will continue to be used following development of the site, they must be protected so that they do not become lost or damaged during construction. If the wells will not be used following development of the site, they must be properly destroyed under permit from the District. The abandoned well if found during construction must be properly destroyed under permit from the District or registered with the District and protected from damage. It should be noted that while the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. All wells found at the site, must be destroyed, or registered with the District as noted above. For questions about the wells, please contact the District Wells and Water Measurement Unit at (408) 630-2660.

Response I.5: The presence of a well on any site would be documented as part of a property-specific Phase I Environmental Site Assessment, as required by mitigation measure, MM HAZ-1.1. MM HAZ-1.1 has been revised to include the identification of active and abandoned wells within the list of purposes of the Phase I ESA. In addition, MM HAZ-1.5 requires a Site Management Plan and Health and Safety Plan which must include protocols to be implemented if wells are encountered during site development activities (refer to Draft EIR Section 3.8.2.2). All active wells and any abandoned wells on individual properties in the Plan Area would be properly protected or destroyed consistent with SCVWD standards as part of redevelopment activities. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.6: If native plants are proposed for use at the site, their use should be in conformance with the Guidelines and Standards for Land Use Near Streams to protect the existing locally native plants along the river and the District's mitigation areas. Generally, this requires natives proposed that are found naturally in this area of the Guadalupe River to be grown from locally collected propagules.

Response I.6: This suggestion has been incorporated into the Specific Plan.

Comment I.7: In addition to the above previously provided comments we have the following additional comments regarding the DEIR:

Figures 2.0-3, -4, and -5 incorrectly identify District property as easement. At this location the District owns fee title property and these figures should be revised for accuracy.

Response I.7: Figures 2.0-3, -4, and -5 have been revised to reflect the City's easement over SCVWD property. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.8: The proposed ramps/stairs to connect the project site to the existing river trail mentioned on page 19 in Section 2.3.5.1 - River District, will require a District permit. Also, as

noted above the number of connection points need to be minimized and carefully located. This section of the DEIR should provide more detail regarding placement, as these features have the potential to impact levee and flood protection activities.

Response I.8: Please see Response I.1 above. The planned connection to the existing river trail would occur within the River District concurrent with development of planned park facilities. The connection would be subject to all required permits from the SCVWD and future plans would be referred to the SCVWD. The Draft EIR does not identify locations or detail regarding placement of these features as that information is not known at this time. However, it is not expected that implementation of these facilities would have any environmental impacts on the levee or on flood protection activities.

Comment I.9: The discussion of lighting in Section 2.3.5.1 - River District, needs to clearly note that path lighting is not to include any part of the trail or trail access on District property.

Response I.9: This comment is acknowledged. The planned lighting of the trail connection within the Plan Area is intended for safety purposes and would be Dark Sky compliant to avoid spillover to adjacent areas of the levee. In the event lighting is proposed on SCVWD property, the lighting would be coordinated with the SCVWD prior to issuance of permits for the trail connection. Section 2.3.5.1 has been modified to reflect that any lighting will not include any part of the trail or trail access on SCVWD Property. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.10: The discussion on page 19 in Section 2.3.6 - Common Open Space and Landscaping, should include reference to the Guidelines and Standards for Land Use Near Streams, regarding planting near the river to protect existing riparian habitat in particular. See Design Guide 2-5 enclosed.

Response I.10: Section 2.3.6 has been modified to reflect this request. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment I.11: On page 87 MM Bio - 7.1 notes mitigation for impacts to riparian woodland habitat is to be accomplished preferably along the Guadalupe River. Non-District mitigation on District property is not allowed as the District property is required to accommodate the District's mitigation needs. There is likely no available land along the river that is not owned by the District or required as part of the remaining flood project along the river.

Response I.11: This comment is acknowledged. Given the lack of available SCVWD land for riparian woodland habitat mitigation, future development projects that impact such habitat would be required to provide replacement habitat on private or City property or purchase mitigation credits. While MM BIO-7.1 provides that mitigation along the Guadalupe River would be preferable, the text of the mitigation measure simply requires mitigation "somewhere in the Santa Clara Valley." MM BIO-7.1 also provides that mitigation may be provided by restoring or creating at a minimum ratio of 2:1 (compensation:impact) on an acreage basis by purchasing credits at a suitably located mitigation bank in the Santa Clara Valley approved by the

City of Santa Clara. Regarding the current availability of mitigation credits, refer to Response E.5. As described in Response E.4, the Ulistac Natural Area may provide an opportunity for creation of replacement riparian woodland habitat.

Comment I.12: The standard erosion control seed mix to be used near the Guadalupe River mentioned in MM Bio - 9.3 should conform with the Guidelines and Standards for Land Use Near Streams, Design Guide 5.

Response I.12: The City would ensure that future development projects use erosion control seed mixes that are consistent with the Guidelines and Standards for Land Use Near Streams, Design Guide 5. Revisions to mitigation measure, MM BIO-9.3, to address this comment are shown in *Section 5.0 Draft EIR Text Revisions*.

Comment I.13: On page 148 the flooding discussion notes the mapped flooding at the site is due to a "lack of capacity in the local drainage system (i.e., Guadalupe River and the Eastside Pump Station)." The District has completed flood protection improvements on the Guadalupe River to contain the 1 % flood flows. Flooding at the site is not due to lack of capacity of the river but lack of capacity of the local drainage system that discharges to the river.

Response I.13: The SCVWD is correct that the flooding in the Plan Area is due to lack of capacity in the local drainage system and that the Guadalupe River contains the 100-year flood. The text has been revised as shown in *Section 5.0 Draft EIR Text Revisions*.

Comment I.14: Page 148 and page 9 of Appendix E should be revised to include the Lenihan Dam on Lexington Reservoir to the dams whose failure would inundate the project site.

Response I.14: The Lenihan Dam inundation mapping has been reviewed and the Plan Area is within the area of potential inundation. The acknowledgement that the Plan Area is also within this potential inundation area does not affect the analysis in the Draft EIR as it was noted the Plan Area would also be subject to potential inundation from failure of two other dams with similar risks. The text and appendix of the Draft EIR have been revised as shown in *Section 5.0 Draft EIR Text Revisions*.

Comment I.15: As noted on page 152 MM HYD - 1.1 and page 277 Section 3.15.1.4, it is unclear how the installation of one catch basin will mitigate for off-site flooding if the local drainage system is not of sufficient capacity already.

Response I.15: The Draft EIR states that the overland flow path at the northwest corner of the project site would be blocked by project fill thereby causing off-site flooding, which is considered a significant impact. Draft EIR p. 152. The Draft EIR states that MM HYD-1.1 will be implemented to reduce this impact to a less than significant level. MM HYD-1.1 provides:

A catch basin shall be installed on Lafayette Street or at a suitable location approved by the City Engineer that connects to the existing storm drain system on Calle Del Mundo. This new catch basin would provide an alternate path for flow that would

otherwise have entered the development area prior to placement of project fill. The design of the new catch basin and new storm drain shall be subject to approval of the City. The new catch basin and new storm drain shall be complete and connected to the existing storm drain system on Calle Del Mundo must be made concurrent with redevelopment of the site in the northwest corner of the Plan Area.

This catch basin would increase the capacity of the existing storm drain system and avoid impeding and redirecting flood runoff flows. Draft EIR p. 152. The Lafayette Street and Calle Del Mundo storm drain systems are independent of each other. The increased flooding on the northwest corner of the Plan Area is caused due to increased fills within the Plan Area in order to meet the requirements of the flood ordinance to elevate development out of the floodplain. The placement of fill within the Plan Area would block the overland flow of excess runoff from Lafayette Street to the Calle Del Mundo storm sewer system that occurs under existing conditions. Installation of the catch basin on Lafayette Street in the vicinity of the Calle Del Mundo system would allow excess runoff to continue to flow to the Calle Del Mundo storm sewer and reduce the impact from increased flooding in this portion of the Plan Area to a less than significant level.

Comment I.16: On page 153 the project proposes to place the Eastside Drainage Swale into a box culvert. Even if this work doesn't require use of District property the District would like to review plans for it as it could impact the levee.

Response I.16: The City will coordinate with the SCVWD as necessary for culvert development.

Comment I.17: On page 280 the Storm Drainage Impacts Section notes that the storm drain system is undersized to handle flows under existing conditions. It is unclear how moving additional flood waters offsite to one new catch basin will mitigate for placement of fill within the existing mapped special flood hazard areas.

Response I.17: Refer to Response I.15 above.

J. Responses to Comment Letter J from City of San José (dated September 13, 2018).

Comment J.1: PROJECT DESCRIPTION

The City understands the project as a Specific Plan to allow for the development of a high density, transit-oriented neighborhood with retail. The Specific Plan would allow the development of up to 4,500 dwelling units, up to 106,000 square feet of retail, an extension of Lick Mill Boulevard through the site, the potential construction of a school for up to 600 students, and approximately ten acres of parks and open space.

CITY OF SAN JOSÉ COMMENTS

The City supports Santa Clara's commitment to allow high-density residential development, a school, and ten acres of parkland adjacent to the proposed City Place development and other

employment centers in North San José and Santa Clara. The development of high-density housing in Tasman East will balance the proposed office and retail development of the proposed City Place project and will help reduce regional vehicle miles traveled (VMT) by giving more employees the opportunity to live within walking, biking, or a short drive from their workplace. The greenhouse gas emissions analysis in the DEIR confirms the benefits of placing high-density housing adjacent to major employment centers.

However, the City does have concerns about the analysis in the DEIR with regards to biological resources (cumulative nitrogen deposition impacts) and transportation (analysis of VMT). Furthermore, the City's comment letter on the Revised Notice of Preparation (NOP), dated August 7, 2017, was not included in Appendix A of the DEIR. The City's NOP comment letter is included as an attachment to this letter and should be included in Appendix A of the DEIR.

Response J.1: As shown in *Section 5.0 Draft EIR Text Revisions*, the City's comment letter responding to the NOP has been added in the FEIR in Appendix A. No further response is necessary.

Comment J.2: The City's specific comments are discussed below:

Biological Resources – Cumulative Nitrogen Deposition Impacts to Bay Checkerspot Butterfly Habitat

The DEIR does not evaluate cumulative impacts to Bay Checkerspot Butterfly habitat in serpentine soils on hillsides surrounding Santa Clara Valley and Coyote Valley. Bay Checkerspot Butterfly habitat is primarily impacted by nitrogen deposition resulting from increased vehicle trips. The project site is located outside of the Santa Clara Valley Habitat Plan (SCVHP) area, and therefore is not subject to the requirements of the SCVHP. However, the SCVHP is the best regional biology science available for the species covered by the Plan, including for nitrogen deposition impacts to Bay Checkerspot Butterfly habitat. The SCVHP provides a framework for the Santa Clara Valley Habitat Agency to acquire and restore Bay Checkerspot Butterfly habitat. Although Santa Clara is not a part of the SCVHP, the DEIR should utilize the SCVHP framework for analytical information, disclosure, and mitigation for impacts to the Bay Checkerspot Butterfly resulting from trips generated by future development allowed under the Tasman East Specific Plan, in order to help protect this species.

Response J.2: The Project site is located outside the boundaries of the Santa Clara Valley Habitat Plan (Habitat Plan) area and, therefore, is not subject to the Habitat Plan which requires development to contribute nitrogen deposition fees. However, there is potential for vehicle trips from the Project to impact the Bay Checkerspot butterfly due to increased nitrogen deposition. Nitrogen deposition is a regional cumulative issue from both existing development and other growth. Serpentine land-covers in the Habitat Plan area are particularly sensitive to deposition of airborne nitrogen compounds generated by vehicle emissions and other sources from throughout Santa Clara County and the greater Bay Area region. When nitrogen deposits on serpentine grassland, it enables nonnative plants to invade the native plants and reduces overall habitat quality. This could result in the loss of habitat for

the Bay Checkerspot butterfly, which relies on the native dotseed plantain (*Plantago erecta*) for habitat, which only grows in serpentine grassland.

According to the General Plan EIR, the City's increased nitrogen emissions in 2035 from development under the General Plan would comprise approximately 1.5 percent of the Habitat Plan's modeled nitrogen emissions and would be less than significant. The General Plan EIR assumed a service population (employees and residents) increase of 86,000.[7] The TESP would increase the number of assumed new dwelling units in the Plan Area by 2,824 units and 7,709 residents.[8] The TESP is also estimated to generate 315 workers in the Plan Area, therefore, the service population would increase by approximately 8,024 from what was analyzed in the General Plan EIR. This increase in service population is less than 10 percent of the previously assumed service population. The Project, therefore, would increase potential nitrogen emissions by less than two-tenths of one percent. Given the incremental addition from the Project, the overall contribution of the Project to nitrogen deposition impacts would be less than significant. Although the proposed TESP allows for increased development on the site it would not represent a cumulatively considerable contribution to nitrogen deposition impacts to serpentine grassland or Bay Checkerspot butterfly and those effects are being adequately addressed by the Habitat Plan.

Comment J.3: Traffic/Transportation

In February 2013, Governor Brown signed Senate Bill (SB) 743 (Steinberg, 2013), which creates a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to analysis by Level of Service (LOS) criteria for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).)

SB 743 requires the CEQA Guidelines to develop a metric that promotes the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. OPR selected vehicle miles traveled as a replacement measure not only because it satisfies the explicit goals of SB 743, but also because agencies are already familiar with this metric. Vehicle miles traveled (VMT) is already used in CEQA to study other potential impacts such as greenhouse gas, air quality, and energy impacts and is used in planning for regional sustainable communities' strategies.

Replacing LOS with VMT will help meet regional goals, better align with VMT implementation requirements under SB 743, and may streamline development of vibrant, walkable communities.

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[7] City of Santa Clara. *2010-2035 General Plan Draft EIR.* July 2010. P. 267.

[8] 2.73 persons per household x 2,824 dwelling units = 7,709 new residents

Removing barriers to housing production in areas that have access to services and increasing transportation options will help to reduce both housing and transportation costs—the largest two components of Californians' cost of living. With VMT mitigation, new development will add less vehicle travel onto highways, leading to better outcomes for regional congestion.

Although the City of Santa Clara has yet to adopt VMT as a metric for assessing transportation impacts under CEQA as required by SB 743, a discussion of the project's VMT should be included in the DEIR as an informational item, including for the project's impacts to the City of San Jose, because most development under the proposed Specific Plan will occur after the City of Santa Clara adopts new metrics to comply with SB 743. The Traffic Impact Analysis prepared for the Draft EIR (Appendix G) does evaluate per-capita VMT, but does not compare project VMT with County or regional average VMT. Such a comparison would help the public understand how the project's VMT compares with existing development patterns, and could reinforce the benefits of the project's proximity to employment and transit.

Additional comments may be forthcoming from the City of San Jose's Department of Public Works in a separate letter.

CONCLUSION

We thank you for the opportunity to comment on the Draft EIR for the Tasman East Specific Plan EIR. The City of San Jose looks forward to continued collaboration, communication, and implementation of the project.

Response J.3: The comment incorrectly states that using VMT as a metric for analyzing transportation impacts is required by SB 375. That law stated that the CEQA Guidelines should be updated to incorporate a different metric than level of service (LOS). While draft CEQA Guidelines do identify VMT as the future metric, those regulations have not yet been adopted. The City recognizes that VMT likely will be replacing LOS as the metric to analyze transportation impacts under CEQA. However, the CEQA Guidelines have not yet been amended to adopt VMT as the metric of choice for transportation impacts. The Governor's Office of Planning and Research submitted the final draft CEQA Guidelines adopting VMT to the Natural Resources Agency in November 2017. The draft Guidelines have not yet been finalized. In addition, under the Guidelines lead agencies have an opt-in period until July 1, 2020, during which they can choose to analyze transportation impacts under the old LOS model or under the new VMT model. The City has not adopted VMT as a metric for assessing transportation impacts nor has it adopted thresholds to employ VMT as a metric. The City currently relies on LOS to determine CEQA impacts, and thus a VMT analysis is not required in the EIR.

Comment J.4: The City of San Jose, and the Department of Parks, Recreation, and Neighborhood Services has an interest in the project as the Specific Plan is immediately adjacent to the city boundary and may impact a number of our recreational facilities.

The Department supports the Specific Plan's call for:

- 10 acres of open space, paseos, and parkland within the 41.4-acre Tasman East project.

- a school site of up to two acres in size.

We encourage the City of Santa Clara to establish and enforce clear requirements and minimums for the provision of these park and open space assets.

PRNS has the following general comments on the Specific Plan, with additional details provided for each, as relate to (1) Provision of Adequate Parkland; and, (2) Trail Impacts and Use.

PRNS Summary Comments

Provision of Adequate Parkland

- The Specific Plan DEIR states that City of Santa Clara would use park impact fees to acquire offsite parkland and achieve a less than significant impact. PRNS is concerned about the availability of land for park purposes in this part of Santa Clara, as we struggle to identify and acquire suitable sites nearby in North San Jose.

> **Response J.4:** The Draft EIR states that the TESP has a goal to develop a total of 10 acres of dispersed, non-contiguous parks/open space on-site. The parks/open space goal equates to 22 percent of the Plan Area being used for parks and open space. The Draft EIR explains that future development projects under the TESP must comply with existing regulations and policies, such as the City's Parkland Dedication Ordinance, which requires project applicants to dedicate park and recreational facilities and/or pay a fee in-lieu of park dedication to mitigate the impacts of housing development growth on existing parkland and recreational facilities. Given the high-density nature of the project and substantial provision of land area for park and open space within the Project, some reliance on impact fees to provide parkland elsewhere in the City consistent with existing City regulations and policies would be necessary. Additional parkland to serve TESP residents could be located north of US 101 and could also be acquired from existing developed sites as redevelopment occurs in North Santa Clara. This mitigation is consistent with the City's Parkland Dedication Ordinance, which allows for an in-lieu fee instead of land dedication. Thus, this impact is less than significant.

Comment J.5: The adjacent City Place Project, also in Santa Clara, has proposed much more significant parks and open space. The DEIR should include this finding to clarify any misconceptions about the adequacy of parkland, if such public spaces are also intended to offset park impacts from the Tasman East Specific Plan. This would be consistent with the Cumulative Impacts to Recreation as described in Section 3.13.2.3.

> **Response J.5:** The City Place project is proposing more parkland acreage than required to accommodate its residential population. The City's Parkland Dedication Ordinance allows for payment of an in-lieu fee instead of parkland dedication for development projects. In addition, in-lieu fees are acceptable mitigation under CEQA. It is unclear what finding the commenter would like the Draft EIR to include. The City Place public spaces and parkland are not intended to offset park impacts from TESP. City Place is mentioned in the cumulative impact analysis of recreational facilities due to its proximity to the Project site. This and the Cumulative

Impacts to Recreation, as described in Section 3.13.2.3, are further explained in Response J. 8, below.

Comment J.6: PRNS is concerned that nearby park and recreational facilities in San José may be negatively impacted through heightened use if the Tasman East Specific Plan is unable to adequately provide park and recreation area on site or in close proximity. Specifically, staff is concerned about potential impacts to larger community parks, sports fields, and regional facilities like San Jose's planned park at the former Agnews site (located at Cabrillo Road east of Zanker Road).

Response J.6: Please see Responses J.4 and J.5. The City intends to use mitigation fees consistent with existing City policies and regulations to provide adequate parkland to serve Santa Clara residents. The proposed TESP, therefore, would not result in substantial effects on San José's park and recreational facilities. To the extent residential populations are situated on the border of Santa Clara and San José it is likely that residents of both cities may at times utilize recreational facilities in the adjacent jurisdiction. However, it is not anticipated that the additional population on either City's boundary would result in such increased recreational facility use that such facilities would be significantly impacted.

Comment J.7: The current Draft EIR, proposes five acres of actual parkland and relies on paseos, pedestrian connections, and public open space to achieve the previously proposed 10-acre park. This is substantially below the City of Santa Clara's Parkland In-lieu Fee Schedule for New Residential Development (Resolution No. 17-8427). As staff understands the City of Santa Clara's Parkland Dedication Ordinances, the project would be required to provide between 25.5 and 30.2-acres of public parkland or fees in-lieu. PRNS also understands that park improvements are likely to be funded out of the same obligation, ultimately moderating the actual land exaction. The City of San José remains concerned that the five acres proposed is so significantly below these impact mitigation targets, that demand for public recreation facilities from new residents will negatively impact San José's own facilities, as well as those in Santa Clara proper.

Response J.7: The Draft EIR states that it will develop a total of 10 acres of dispersed, non-contiguous parks and open space. The City's Parkland Dedication Ordinance (Santa Clara Municipal Code Title 17, Chapter 17.35) requires the dedication of land or payment of an in-lieu fee or a combination of both, for the purpose of developing new and rehabilitating existing park and recreational facilities. Thus, the act is not focused on parkland only, but broader open space and other recreational uses. In addition, the Mitigation Fee Act Parkland Dedication Ordinance allows for a credit for private open space in some circumstances. Please refer to Response J.4 above for further information regarding the Draft EIR's analysis of this impact.

Comment J.8: It appears from statements in the Cumulative Impact to Recreation Section 3.13.2.3, that parkland acreage planned in the approved City Place Project will help offset the parkland impacts of the Tasman East Specific Plan. If this is the intent, PRNS would recommend that the DEIR make this statement clearer throughout all sections related to parks, recreation, and open space.

Response J.8: Section 3.13.2.3. states that the General Plan EIR discussed the cumulative impact on recreational facilities from the buildout of the General Plan and concluded that future development, consistent with existing regulations, would not result in significant impacts to recreational facilities. The discussion of cumulative impacts included discussion of City Place, and the 31-acre park that it will create, as it is directly adjacent to the Plan Area and would create users of available park and open space in the vicinity of both projects. However, the TESP is not relying on City Place to provide for its park needs as planned development in the Plan Area would be subject to the payment of mitigation fees as described previously.

Comment J.9: Trail Impacts and Use

- The Specific Plan DIER [sic] states that projects would construct bicycle access to the Bay Trail and Guadalupe River trail, supporting the finding that the project would have a less than significant impact. Staff is concerned that simply providing bicycle access to existing bicycle facilities is not an adequate evaluation of impacts to existing facilities, like the Guadalupe River Trail. The DEIR should evaluate and estimate likely bicycle trip generation resulting from implementation of the Specific Plan. San Jose maintains travel volume data for the trail system on its Trail Count page.

The City of San José has constructed and operates the Lower Guadalupe River Trail directly to the east of Project, providing active transportation links from San Francisco Bay at Alviso, south to Downtown San José and beyond. The Guadalupe River Trail serves both Santa Clara and San José residents. Over the past decade, San José's Trail Program has conducted an annual Trail Count, cataloguing the volume of trail users along several City trails. In the most recent Trail Count for 2016, staff has documented approximately 2,325 users over a 12-hour period at the nearby River Oaks bridge. Additionally, responses to Trail Count questionnaires estimate that approximately 51% of trail users utilize trails for transportation or commuting in some fashion. From this evidence of current use, it is likely that intensive development near the trail will increase the number commuters as well as recreational users of the trail and may have potential impacts to trail infrastructure and the safe and enjoyable experience of users.

Response J.9: The analysis of bicycle and pedestrian facilities in the Draft EIR focused on the availability and adequacy of facilities to support the use of non-auto modes of travel. This is discussed in section 3.14 of the Draft EIR, which explains that the Project would provide an on-street bicycle network with connections to the Guadalupe River Trail and provide pedestrian access to the Guadalupe River Trail. The existing trail facilities in Santa Clara and San José pass through developed areas with tens of thousands of potential daily users of such facilities. There is no indication that the increase in residential population within the Plan Area, approximately 12,285 residents, would result in such heavy use of nearby trail facilities that deterioration of such facilities would result.

K. Responses to Comment Letter K from Linda Williams (dated August 10, 2018)

Comment K.1: As a resident of Primavera since 1976, I am opposed to the development of this property. The roads in this area are already congested and busy. We DO NOT need this development. Please reconsider a smaller development or do not proceed with the present plan. Santa Clara is NOT a San Francisco even tho [sic] there are so many companies moving in to the area.

Response K.1: The Tasman East Specific Plan Traffic Impact Analysis studied the project's traffic impacts on various intersections throughout the City of Santa Clara, the City of San José, and the County of Santa Clara. As stated in the Draft EIR Section 3.14 Transportation/Traffic, four intersections including: Tasman Drive and Centennial Drive, Lafayette Street and Great America Way, Lafayette Street and Calle Del Mundo, and Montague Expressway and Mission College Boulevard would be impacted in the existing plus project scenario. Of those four impacted intersections, impacts at the intersections of Lafayette Street and Great America Way, and Lafayette Street and Calle Del Mundo would be reduced to a less than significant level with mitigation measures MM TRANS-1.2 and MM TRANS-1.3. While impacts at the other three intersections would remain significant and unavoidable in the existing plus project scenario, the proposed project would be required to implement Transportation Demand Measures (TDM) to reduce the number of traffic trips on the road. TDM measures may include but are not limited to transit subsidies, carpool incentives, bicycling incentives, carshare memberships, and/or vanpools.

Lastly, the City's objectives for redevelopment within the Tasman East Specific Plan include improving vehicular, pedestrian, bicycle and transit connectivity between stations and existing and future adjacent commercial and residential areas. The goal of the Tasman East Specific Plan is to provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority, Amtrak, and Altamont Corridor Express stations and transit stops to promote transit use for access to services and jobs, thereby reducing the number of vehicle trips in the project area. As this comment does not state specific evidence on how the project would result in significant traffic impacts other than those already analyzed and mitigated for in the Draft EIR, no further response can be provided.

L. Responses to Comment Letter L from Lozeau Drury LLP (dated August 14, 2018)

Comment L.1: I am writing on behalf of the Laborers International Union of North America, Local Union No. 270 and its members living in the City of Santa Clara ("LIUNA"), regarding the Draft Environmental Impact Report; ("DEIR") prepared for the Project known as the Tasman East Specific Plan aka PLN2016-12400, SCH #2016122027 and File No. CEQ2016-01026, including all actions related or referring to the proposed development of a high density transit-oriented neighborhood of up to 4,500 dwelling units and up to 106,000 square feet of retail space bounded by Tasman Drive to the south, the Guadalupe River to the East, the Santa Clara golf course to the north, and Lafayette Street to the west in the City of Santa Clara ("Project").

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. Commenters request that the Community Development Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. Galante Vineyards v. Monterey Peninsula Water Management Dist., 60 Cal. App. 4th 1109, 1121 (1997).

> **Response L.1:** This comment is acknowledged. The Draft EIR is an adequate analysis of potential Project impacts under CEQA and no recirculation is required. This comment does not raise any issues with the environmental analysis provided in the Draft EIR nor offer any specific evidence as to how the Draft EIR failed to incorporate feasible mitigation measures or suggest any mitigation measures that should have been incorporated into the Draft EIR. Thus, no further response is required.

Comment L.2: We hereby request that City of Santa Clara ("City") send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
- Notices of any public hearing held pursuant to CEQA.
- Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.

> **Response L.2:** The Notice of Preparation, Revised Notice of Preparation, Notice of Availability , and Notice of Scoping Meeting are posted on the City's website at the

following link: http://santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/152/3649.

The City will send all future notices to the address listed in the above comment. No further response is necessary.

M. Responses to Comment Letter M from Sierra Club and Santa Clara Valley Audubon Society (dated September 26, 2018)

Comment M.1: The Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter are pleased to find that the EIR for Tasman East discusses and includes mitigation measures to reduce light pollution and the hazards of bird collision with glass in this district. We are greatly appreciative of the work invested here, and would like to make a couple of suggestions:

- MM BIO – 3.1. Interior landscaped areas behind glass (such as in courtyards and atria, corners of buildings and plantings behind glass balustrades) are extremely hazardous to birds as they create a deadly attraction all year long, not only during migration season. We ask that you replace the word "reduce and eliminate…" with "prohibit visibility of internal landscaped area behind glass". This is very important, as planners and designers often incorporate interior plantings and atria, being unaware of the risk to birds.

Response M.1: The City appreciates the commenters' approval of the Draft EIR's discussion of the hazard of bird collisions and light pollution. The text of mitigation measure, MM BIO-3.1, has been revised to incorporate the suggested text. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment M.2: Exterior shades are excellent in reducing light pollution if drawn at night. Please consider adding External Shades to the menu of mitigations for reducing light pollution.

Response M.2: The text of mitigation measure, MM BIO-3.1, has been revised to incorporate the suggested text. Refer to *Section 5.0 Draft EIR Text Revisions*.

Comment M.3: In addition, we hope you suggest that the Tasman East Specific Plan help restore the urban forest to replicate native California oak landscapes within the urban context and the riparian edge of the Guadeloupe [sic] River. We encourage the City to require the preservation and planting of oaks, willows and other native species. We recommend the San Francisco Estuary Institute's Re-oaking Silicon Valley Report and the Urban Habitat Design Guidelines Checklist (please find attached) as the landscape guidelines for the Specific Plan. Suggested Policies:

- Require a vibrant urban forest and a healthy ecology for human health and wellness for a high density residential area
- Encourage the planting of native trees, especially native oaks, to improve the ecological integrity of the urban forest
- Preserve and protect existing native trees through tree protection and education programs
- Prioritize the preservation of trees along riparian corridors and in open space areas

Response M.3: The suggested policies have been added to the TESP. Many of the principles of the Urban Habitat Design Guidelines, such as the use of native plants, recycled water, planting between buildings, and bird-safe design, are currently part of the TESP or have been required as mitigation measures in the Draft EIR.

SECTION 5.0 DRAFT EIR TEXT REVISIONS

This section contains revisions to the text of the Tasman East Specific Plan Draft EIR dated July 2018. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page xiv *Summary, MM BIO-3.1*; **REVISE** the second and last bullets of the mitigation measure as follows:

- ~~Reduce or eliminate the~~ Prohibit visibility of interior landscaped areas behind glass.
- Occupancy sensors or other switch control devices shall be installed on interior lights, with the exception of emergency lights or lights needed for safety purposes. Exterior shades shall also be considered to reduce light pollution. On commercial buildings, these lights shall be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.

Page xxiii *Summary, MM BIO-8.1*; **INSERT** the text below following the last sentence of the paragraph:

Development and landscaping of the area along the levee should also consider opportunities such as site layout, fencing, landscaping, and education to discourage the public from creating pioneer trails up the levee slope to access the existing trail. A 15-foot zone free of tree plantings shall be provided from the levee toe to allow for emergency access.

Page xxiv *Summary, MM BIO-9.3;* **INSERT** the following text as the last sentence of the paragraph:

The erosion control seed mix shall adhere to the guidance for temporary erosion control in SCVWD's Guidelines and Standards for Land Use Near Streams, Design Guide 5.

Page xxvi *Summary, MM HAZ-1.1*; **REVISE** the mitigation measure as follows:

MM HAZ – 1.1: Prior to the start of any demolition or construction activity, a property-specific Phase I ESA shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent version) to identify Recognized Environmental Conditions, evaluate the property history, identify active and abandoned wells, and establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor and/or groundwater quality studies shall subsequently be conducted, if warranted based on the findings on the property-specific Phase I ESAs to evaluate if mitigation measures are needed to protect the health and safety of site occupants. All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the

DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

Page xxxi *Summary, MM HYD-1.1*; **REVISE** the mitigation measure as follows:

MM HYD–1.1: A catch basin shall be installed on Lafayette Street or at a suitable location approved by the City Engineer that connects to the existing storm drain system on Calle Del Mundo. This new catch basin would provide an alternate path for flow that would otherwise have entered the development area prior to placement of project fill. The design of the new catch basin and new storm drain shall be subject to approval of the City. The new catch basin and new storm drain shall be complete and connect~~ed~~ion to the existing storm drain system on Calle Del Mundo must be made concurrent with redevelopment of the site in the northwest corner of the Plan Area.

Page xxxvi *Summary, Impact TRANS-3 and Mitigation Measures*; **REVISE** the impact and associated mitigation measure column as follows:

Impact TRANS-3: The project would have a significant impact under background plus project conditions at the following six intersections: 1. Great America Parkway and Westbound 237 Ramps (City of San José/CMP); 9. Tasman Drive and Centennial Drive (City of Santa Clara); 10. Lafayette Street and Great America Parkway (City of Santa Clara); 11. Lafayette Street and Calle Del Mundo (City of Santa Clara); ~~35. Tasman Drive and Lawrence Expressway (County of Santa Clara/CMP);~~ and 37. Montague Expressway and Mission College Boulevard (County of Santa Clara/CMP).

~~As to intersection 35: Tasman Drive and Lawrence Expressway – The improvements that would be needed to fully mitigate the impact include widening the eastbound approach to accommodate an additional through lane. There is no right-of-way available to accommodate the improvement and therefore the impact is considered significant and unavoidable.~~ ~~**Significant Unavoidable Impact**~~

Page 10 *Section 2.3.2 Proposed Zoning District*; **REVISE** Table 2.0-1: Permitted Land Uses as shown on the following page:

(REVISED) Table 2.0-1: Permitted Land Uses		
TESP Category	**Santa Clara Zoning Code Uses**	**Permitted/Conditional/Accessory**
Residential	Multiple-family dwelling units	Permitted
	Supportive Housing	Permitted
	Transitional Housing	Permitted
	~~Assisted Living~~ Home for the Ambulatory Aged	~~Conditional~~ Permitted
Commercial	Neighborhood Commercial Uses	Permitted
	Alcohol Sales (on-premises)	Conditional
	Co-working	Permitted (as ground floor use in residential building)
Neighborhood Light Industrial	Light Industrial	Permitted (only as a ground floor use to a residential building, or as a legal non-conforming use)
Public/Quasi-Public	Parks and Recreational Facilities	Public parks are permitted, as well as private parcels dedicated and maintained as publicly accessible parks.
	General Education Facilities (including Elementary School)	Conditional
	Municipal and Public Utility Facilities	Conditional
	Places of Worship and other Nonprofit Facilities	Conditional
	Neighborhood Recreational Enterprises	Conditional

Page 12 *Section 2.3.2 Proposed Zoning District, Figure 2.0-3 Proposed Specific Plan Land Uses*; **REVISE** the figure as shown on the following pages.

Page 13 *Section 2.3.3.1 Roadway Improvements*; **REVISE** the description of Lick Mill Boulevard as follows:

Lick Mill Boulevard would be extended through the site to provide additional access for the proposed land uses and connect with the existing roadway network and City Place (current Santa Clara Golf & Tennis Club) to the north. Lick Mill Boulevard, a minor arterial street, would ultimately require 86 feet of right-of-way north of Calle De Luna and 101 feet of right-of-way south of Calle De Luna.~~and~~ Lick Mill Boulevard would connect for a portion of its alignment with the easterly segment of Calle De Luna. The Specific Plan allows for a four-lane roadway extension with a seven-foot-wide cycle track[9], 10-foot sidewalks, and no parking. Lick Mill Boulevard would operate as a two-lane roadway with full buildout of Tasman East and would require widening to a four-lane roadway with full buildout of City Place.

[9] Bicycle lanes physically separated from vehicles with a median, planting strip, planter boxes, or bollards.

Page 14 *Section 2.3.3.1 Roadway Improvements, Figure 2.0-4 Proposed Circulation Network*; **REVISE** the figure as shown on the following pages.

Page 16 *Section 2.3.4.1 Bulk and Massing*; **REVISE** the second and third paragraphs of the discussion as follows:

Proposed towers within the plan area would not exceed 220 feet or the FAA Part 77 height limit, whichever is lower. Exemptions for height limitations for vertical projections may extend above the height limit up to 40 feet, subject to FAA review. The maximum tower floorplate shall not exceed ~~12~~15,000 square feet with a maximum plan dimension of ~~160~~ 200 feet. Where floorplates exceed 10,000 square feet, a ~~five~~four-foot stepback is required where the building exceeds 140 feet in length.

In order to preserve a sense of openness to the sky, towers shall be separated by at least ~~100~~ 60 feet from one another. To preserve views and privacy for tower occupants, the faces of towers shall be set back at varying distances based on their height and massing per the TESP design standards, which would include the ~~100~~60-foot tower separation.

Page 17 *Section 2.3.4.2 Street Frontages*; **REVISE** the discussion as follows:

Calle Del Sol would be required to have retail uses along the street frontage. All other buildings on public streets, greenways, or open spaces would be required to have active uses on the public frontages. Off-street parking and loading bays shall be designed to prioritize pedestrians, including limiting parking garage entries to ~~20~~ no wider than 25 feet, loading dock entries to 25 feet, and locating access to these facilities more than ~~20~~ 25 feet from building corners. Exposed structured parking would not be permitted facing a public right-of-way~~,~~ or greenway~~, or open space~~.

Ground floor retail spaces on Calle Del Sol would have a minimum depth of 30 feet, minimum width of 15 feet, and minimum height of 15 feet. ~~Three-quarters~~ Half of ground floor residential units would be required to be individually accessed from the building exterior by a stoop, side yard, or other means. Stoops facing public rights of way or open spaces shall generally be set at least two feet above sidewalk grade. Residential buildings would be set back a minimum of five feet to allow space for the entry steps. Ground floor live/work units would be allowed and individually accessed from the building exterior. Live/work units shall be set back at least two feet from the building façade. Neighborhood light industrial spaces are also allowed at the ground floor of buildings. Neighborhood light industrial spaces are required to be at least 15 feet in height with a minimum depth of 20 feet and at least 35 feet in one dimension.

(REVISED) PROPOSED SPECIFIC PLAN LAND USES FIGURE 2.0-3

(REVISED) PROPOSED CIRCULATION NETWORK FIGURE 2.0-4

Page 17 *Section 2.3.5 Public Open Space*; **INSERT** the following text to the second paragraph:

Connections from planned open space areas and pathways to the adjacent future City Place development and levee along the Guadalupe River are proposed. Pathways/ sidewalks providing access to City Place and the Guadalupe River must be lit. Development and landscaping of the area along the levee should consider opportunities such as site layout, fencing, landscaping, and education to discourage the public from creating pioneer trails up the levee slope to access the existing trail. The plan also includes the possible culverting of the Eastside Drainage Swale in a public easement on private property at the toe of the Guadalupe River levee.

Page 18 *Section 2.3.5 Public Open Space, Figure 2.0-5 Planned Open Space Network*; **REVISE** the figure as shown on the following pages.

Page 19 *Section 2.3.5.1 River District*; **REVISE** the description of the neighborhood park as follows:

The River District would include a minimum 2.5-acre neighborhood park. The park in the River District would be the most expansive neighborhood park under the Specific Plan. The park would maintain public access along the riverfront and be designed to complement the adjacent Guadalupe River and Ulistac Natural Area. Ramps and stairs for bicycle and pedestrian circulation shall be a key feature to connect across the grade change between the eastern edge of the site and the Guadalupe River Trail. A lit pathway that utilizes Dark Sky compliant and efficient lamping would be provided at all times within the bounds of the Plan Area and would not include any part of the trail or trail access on Santa Clara Valley Water District (SCVWD) property. The park may also provide a public outdoor amphitheater that can be used to host concerts, movies, and other public events. The park has the greatest capacity to accommodate regulation sized sports courts.

Page 19 *Section 2.3.5.3 Bridge and Center Districts*; **REVISE** the description of these parks as follows:

The parks in the Bridge and Center Districts would be a signature social element of the open space network. These parks would be ideal for intimate neighborhood-serving amenities as they are pulled away from Lafayette Street and Tasman Drive, but still a short walk from the retail at Calle Del Sol. The Bridge District park would be a half-acre mini-park and the Center District park would be a one-acre neighborhood park. The Bridge and Center District parks would ~~be mostly soft-scaped~~ include a variety of landscaping treatments, and should feature urban plazas, tree-lined promenades, tot-lots, pocket gardens with seating areas, and lawns. Lawns could provide flexible spaces to accommodate a range of activities for the community, such as movies, picnics, and community events.

DEDICATED PARKLAND (MINIMUM 5 ACRES)

- **Hill District 0.85 acre**
- Center District 1.0 acre
- River District 2.5 acres (Including 0.75 acre easement)
- Bridge District 0.5 acre
- Station District 0.15 acre

+

PRIVATELY-OWNED OPEN SPACE

- Greenways
- At Grade & Publicly Accessible (100% Credit)
- PRIVATE OPEN SPACE (50% Credit)

=

TOTAL 10 ACRES

Public improvements beyond the site not included in 10.0 acres

* Greenway and Park locations depicted are conceptual.

Public Improvment Beyond the Site

To Be Implemented as Development Occurs

City Easement

Site Boundary

(REVISED) PLANNED OPEN SPACE NETWORK

FIGURE 2.0-5

Page 20 *Section 2.3.6 Common Open Space and Landscaping*; **INSERT** the following text as the last sentence in the second full paragraph:

Proposed landscaping shall consider the principles outlined in the Santa Clara Valley Water District's (SCVWD) Guidelines and Standards for Land Use Near Streams, specifically Design Guides 2 through 5.

Page 21 *Section 2.3.8 Proposed Utility Improvements*; **REVISE** the discussion as follows:

The Specific Plan development ~~would~~ may require approximately 3,000 lineal feet of 12-inch water main be upsized to 16-inch in Lafayette Street. The existing 12-inch water lines within the Plan Area streets may also require replacement. The Specific Plan area would connect to existing reclaimed water lines in Tasman Drive. The extension of Calle Del Sol through the Plan Area would require relocation of the City's Primavera Pump Station and existing cell towers ~~on the same site~~ which are both in the proposed roadway alignment; however, no replacement location for these infrastructure components has been identified within or outside the Plan Area. There is potential for the Primavera Pump Station to be undergrounded on-site. The project could include additional groundwater pumping facilities or larger pumps at existing facilities as necessary.

Page 55 *Section 3.2.2.2 Cumulative Contribution to Non-Attainment Criteria Pollutant Emissions*; **REVISE** Table 3.2-3: Summary of Tasman East Specific Plan Operational Air Emissions as follows:

(REVISED) Table 3.2-3:
Summary of Tasman East Specific Plan Operational Air Emissions

Scenario	ROG	NO_x	PM_{10}	$PM_{2.5}$
Annual Project Operational Emissions (tons/year)	22.~~17~~68	~~17.29~~ 19.43	~~17.03~~ 10.75	~~4.88~~ 3.39
Existing Operational Emissions (tons/year)	3.~~07~~11	~~2.89~~ 3.03	~~2.30~~ 1.38	0.~~68~~46
Total Net Project Operational Emissions (tons/year)	19.~~10~~57	~~14.40~~ 16.40	~~14.73~~ 9.37	~~4.20~~ 2.93
BAAQMD Thresholds (tons/year)	*10*	*10*	*15*	*10*
Exceed Threshold?	**Yes**	**Yes**	**No**	**No**
Average Daily Net Project Emissions (pounds/day)	10~~5~~7	~~79~~90	~~81~~ 51	~~23~~ 16
BAAQMD Thresholds (pounds/day)	*54*	*54*	*82*	*54*
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**

Source: Illingworth & Rodkin, Inc. *Operational CalEEMod Modeling of Air Pollutant and GHG Emissions Memo.* October 10, 2018.

Page 79 *Section 3.3.2.6 Migratory Birds*; **REVISE** the second and last bullets of mitigation measure, MM BIO-3.1 as follows:

- ~~Reduce or eliminate the~~ Prohibit visibility of interior landscaped areas behind glass.
- Occupancy sensors or other switch control devices shall be installed on interior lights, with the exception of emergency lights or lights needed for safety purposes. Exterior shades shall also be considered to reduce light pollution. On commercial buildings, these lights shall be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.

Page 89 *Section 3.3.2.7 Riparian Stream/Buffer*; **INSERT** the text below following the last sentence of MM BIO-8.1:

Development and landscaping of the area along the levee should also consider opportunities such as site layout, fencing, landscaping, and education to discourage the public from creating pioneer trails up the levee slope to access the existing trail. A 15-foot zone free of tree plantings shall be provided from the levee toe to allow for emergency access.

Page 92 *Section 3.3.2.8 Invasive Weeds;* **INSERT** the following text as the last sentence in MM BIO-9.3:

The erosion control seed mix shall adhere to the guidance for temporary erosion control in SCVWD's Guidelines and Standards for Land Use Near Streams, Design Guide 5.

Page 95 *Section 3.3.2.13 Cumulative Impacts*; **INSERT** the following text after the second full paragraph:

The Santa Clara Valley Habitat Plan (Habitat Plan) addresses the indirect effects of nitrogen deposition to serpentine grassland habitat and dependent species, including Bay Checkerspot butterfly. Nitrogen deposition is a regional cumulative issue from both existing development and projected other future growth. Serpentine land-covers in the Habitat Plan area are particularly sensitive to deposition of airborne nitrogen compounds generated by vehicle emissions and other sources from throughout Santa Clara County and the greater Bay Area region. These nitrogen compounds enter ecosystems as nitrogen fertilizer. This increased soil fertility can favor non-native annual grasses over native plant species found in serpentine soils. NO_x emissions associated with the City's electrical utility, Silicon Valley Power, are being mitigated on an ongoing basis through management of serpentine habitat on Coyote Ridge in San José.

According to the General Plan EIR, the City's increased nitrogen emissions in 2035 from development under the General Plan would comprise approximately 1.5 percent of the Habitat Plan's modeled nitrogen emissions. The proposed TESP allows for increased development on the site resulting in an increased service population of

approximately 8,024[10] above what was considered in the General Plan EIR. The service population, therefore, would increase by less than 10 percent of the previously analyzed service population and potential nitrogen emissions would increase by less than two-tenths of one percent. Given the limited amount of additional NO_x emissions generated compared to the General Plan nitrogen emissions, the Project would not represent a cumulatively considerable contribution to nitrogen deposition impacts to serpentine grassland or Bay Checkerspot butterfly and those effects are being adequately addressed by the Habitat Plan. **(Less Than Significant Impact)**

Page 110 *Section 3.5.1.3 Existing Conditions*; **REVISE** the last paragraph of the Gasoline for Motor Vehicles discussion as follows:

The Specific Plan area is currently developed with light industrial and commercial uses. These uses consume energy for building heating and cooling, lighting, appliances, and electronics. Existing buildings in the Plan Area are estimated to use 2 billion Btu of natural gas and 6.7 GWh of electricity annually. Energy is also consumed during vehicle trips generated by employees and customers which are estimated to use ~~270,187~~290,977 gallons of gasoline per year.

Page 112 *Section 3.5.2.2 Energy Use and Efficiency*; **REVISE** the first paragraph as follows:

It is estimated that the proposed Specific Plan would use approximately 20 GWh of electricity and 40 billion Btu of natural gas per year at full buildout (as early as 2030). Given the Specific Plan's estimated vehicle miles traveled (refer to Section 3.7 Greenhouse Gas Emissions), it is estimated that the proposed development under the Specific Plan would use approximately ~~855,312~~ 938,576 gallons of gasoline per year (assuming an average fuel economy of 54.5 mpg).[38]

[38]Based on ~~daily~~ annual VMT of ~~127,711 x 365 days = 46,614,515~~ 51,152,419 miles

Page 134 *Section 3.8.1.2 Existing Conditions*; **REVISE** the second full paragraph on the page as follows:

The area of VOC impact~~ed~~ on parcel 4 is located cross-gradient from the site with respect to groundwater flow direction (northeast) and~~, did~~ therefore, is not expected to have migrated below the site.

Page 137 *Section 3.8.2.2 Impacts from On-Site Hazardous Materials*; **REVISE** mitigation measure, MM HAZ-1.1 as follows:

MM HAZ – 1.1: Prior to the start of any demolition or construction activity, a property-specific Phase I ESA shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent

[10] 7,709 residents (2,824 dwelling units x 2.73 persons per household) + 315 employees = 8,024 service population

version) to identify Recognized Environmental Conditions, evaluate the property history, identify active and abandoned wells, and establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor and/or groundwater quality studies shall subsequently be conducted, if warranted based on the findings on the property-specific Phase I ESAs to evaluate if mitigation measures are needed to protect the health and safety of site occupants. All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

Page 148 *Section 3.9.1.2 Existing Conditions*; **REVISE** the third sentence in the discussion of flooding as follows:

The flooding in the areas designated as Zone AH is entirely due to a lack of capacity in the local drainage systems ~~(i.e., Guadalupe River and the Eastside Pump Station)~~.

Page 148 *Section 3.9.1.2 Existing Conditions*; **REVISE** the Dam Inundation discussion as follows:

The Plan Area is located within the inundation area of ~~two~~ three dams: Anderson Dam, Lenihan Dam, and Guadalupe Dam. The Plan Area is located approximately 26 miles northwest downstream of the Anderson Dam and 17 miles downstream of the Lenihan and Guadalupe Dams. In the unlikely event dam failure occurs, the maximum inundation depth expected on-site is nine feet.[56] Anderson Reservoir is currently kept at approximately 68 percent of its maximum capacity due to the findings of the SCVWD's Anderson Dam Seismic Study and Retrofit Project.[57] The California Department of Safety of Dams determined that the dam may experience significant damage in an earthquake and the water level should remain approximately 25 feet below the spillway until seismic retrofits can be completed. The currently estimated date of completion of those two seismic retrofit projects is 2021.

Page 152 *Section 3.9.2.4 Flooding Impacts*; **REVISE** mitigation measure MM HYD-1.1 as follows:

MM HYD–1.1: A catch basin shall be installed on Lafayette Street or at a suitable location approved by the City Engineer that connects to the existing storm drain system on Calle Del Mundo. This new catch basin would provide an alternate path for flow that would otherwise have entered the development area prior to placement

of project fill. The design of the new catch basin and new storm drain shall be subject to approval of the City. The new catch basin and new storm drain shall be complete and connect~~ed~~ion to the existing storm drain system on Calle Del Mundo must be made concurrent with redevelopment of the site in the northwest corner of the Plan Area.

Page 153 *Section 3.9.2.6 Other Inundation Hazards (Planning Consideration)*; **REVISE** the discussion as follows:

As described previously, the Specific Plan area is not subject to sea level rise, seiche, tsunami, or mudflows. The Specific Plan area is, however, located within the inundation area of Anderson Dam, Lenihan Dam, and Guadalupe Dam.

While the Specific Plan area is subject to inundation if Anderson Dam, Lenihan Dam, or Guadalupe Dam fail catastrophically, the dams are inspected twice a year by the SCVWD in conjunction with the California Division of Safety of Dams and the Federal Energy Regulatory Commission and both reservoirs are managed to prevent significant damage during a maximum credible earthquake. Therefore, the probability of dam failure is extremely remote and ~~therefore~~ not considered a significant hazard.

Page 213 *Section 3.14.1.3 Existing Conditions*; **REVISE** the third bullet under the Traffic Scenarios Analyzed discussion as follows:

Background Conditions. Background conditions were represented by future traffic volumes on the future roadway network. Background traffic volumes were estimated by adding to existing peak-hour volumes the projected volumes from approved but not yet constructed developments in the study area. The added traffic from approved but not yet constructed developments was based on the list of approved projects provided by the City of Santa Clara, and includes development occurring in San José and Sunnyvale. Background conditions include transportation improvements required as mitigation for other approved developments.

Page 214 *Section 3.14.1.3 Existing Conditions*; **REVISE** the fifth bullet under the Traffic Scenarios Analyzed discussion as follows:

Cumulative Conditions. Cumulative conditions represent future traffic volumes estimated to occur by 2040 as well as planned improvements to the transportation system. Cumulative conditions include traffic growth projected to occur due to the approved development projects and proposed but not yet approved (pending) development projects in the study area including in San José and Sunnyvale. The added traffic from pending projects was based on forecasts from the VTA traffic model.

Page 234 Table 3.14-6: Existing and Existing Plus Project Levels of Service; **REVISE** Intersection #35 LOS calculations as follows:

35. Tasman Drive and Lawrence Expressway* (Santa Clara County)	ED	AM	39.8	D	40.3	D	0.0013	0.41		
		PM	54.7	D	55.36	E	0.00723	-0.20.5		

Page 244 *Section 3.14.2.4 Background Plus Project Conditions*; **REVISE** the list of significantly impacted intersections under Background Plus Project Intersection Levels of Service, as shown below:

1. Great America Parkway and Westbound 237 Ramps (City of San José)* – AM Peak Hour
9. Tasman Drive and Centennial Drive (City of Santa Clara) – AM & PM Peak Hours
10. Lafayette Street and Great America Parkway (City of Santa Clara) – PM Peak Hour
11. Lafayette Street and Calle Del Mundo (City of Santa Clara) – AM & PM Peak Hours

~~35. Tasman Drive and Lawrence Expressway (County of Santa Clara)* – PM Peak Hour~~

37. Montague Expressway and Mission College Boulevard (County of Santa Clara)* – PM Peak Hour

Page 244 *Section 3.14.2.4 Background Plus Project Conditions*; **REVISE** Impact TRANS-3 as follows:

Impact TRANS-3: The project would have a significant impact under background plus project conditions at the following six intersections: 1. Great America Parkway and Westbound 237 Ramps (City of San José/CMP); 9. Tasman Drive and Centennial Drive (City of Santa Clara); 10. Lafayette Street and Great America Parkway (City of Santa Clara); 11. Lafayette Street and Calle Del Mundo (City of Santa Clara); ~~35. Tasman Drive and Lawrence Expressway (County of Santa Clara/CMP);~~ and 37. Montague Expressway and Mission College Boulevard (County of Santa Clara/CMP). **(Significant Impact)**

Page 249 Table 3.14-9: Background and Background + Project Intersection Levels of Service; **REVISE** Intersection #35 LOS calculations as follows:

35. Tasman Drive and Lawrence Expressway* (Santa Clara County)	AM	60.3	E	61.15	E	0.01831	1.62.2	N/A	N/A
	PM	**80.5**	**F**	**847.56**	**F**	0.00618	2.27.7	N/A	N/A

Page 250 *Section 3.14.2.4 Background Plus Project Conditions*; **DELETE** the first two paragraphs following Table 3.14-9 as shown below:

~~***Significant Impacts with No Feasible Mitigation*** – The following intersection has been determined to be constrained primarily due to the presence of transportation facilities such as light rail transit, infrastructure, or existing buildings that would make the improvement infeasible. Therefore, the intersection listed below has no feasible vehicle capacity improvements due to right-of-way constraints.~~

~~As to intersection 35: Tasman Drive and Lawrence Expressway – The improvements that would be needed to fully mitigate the impact include widening the eastbound approach to accommodate an additional through lane. There is no right-of-way available to accommodate the improvement and therefore the impact is considered significant and unavoidable.~~ ~~**(Significant Unavoidable Impact)**~~

Page 262 Table 3.14-11: Background, Cumulative, and Cumulative + Project Intersection Levels of Service; **REVISE** Intersection #35 LOS calculations as follows:

35. Tasman Drive and Lawrence Expressway* (Santa Clara County)	AM PM	60.3 **80.5**	E **F**	**178.2~~9.0~~** **175.5~~4.5~~**	**F** **F**	***>180*** ***>180***	***F*** ***F***	***0.023~~0~~*** ***0.02~~019~~***	***16~~8~~.3*** ***16.75~~.3~~***		N/A N/A	N/A N/A

Appendix A Notice of Preparation and Responses to the NOP; **INSERT** City of San José comment letter on Notice of Preparation.

Appendix B Air Quality and Greenhouse Gas Assessment; **INSERT** Appendix B-2 Operational CalEEMod Modeling Update Memo.

Appendix C Biological Resource Analyses; **INSERT** Appendix C-3 Eastside Drainage Swale Memo.

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, INTERIM DIRECTOR

August 7, 2017

VIA EMAIL ONLY
Mr. John Davidson, Principal Planner
City of Santa Clara – Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

RE: City of San José's Comment Letter relating to the Revised Notice of Preparation for the Tasman East Specific Plan (CEQ2016-01026, PLN2016-12400).

Dear Mr. Davidson,

On behalf of the City of San José (City), we would like to express our appreciation for the opportunity to review and comment on the Revised Notice of Preparation (NOP) for the Tasman East Specific Plan (Specific Plan) Environmental Impact Report (EIR).

PROJECT DESCRIPTION

The City understands the project as a Specific Plan to allow for the development of a high-density, transit-oriented neighborhood with retail. The Specific Plan would allow the development of up to 4,500 dwelling units, up to 106,000 square feet of retail, an extension of Lick Mill Boulevard through the site, the potential construction of a school for up to 600 students, and approximately ten acres of parks and open space.

NOTICE OF PREPARATION COMMENTS

The City supports Santa Clara's commitment to allow high-density residential development, a school, and ten acres of parkland adjacent to the proposed City Place development and other employment centers in north San José and Santa Clara. The development of high-density housing in Tasman East will balance the proposed office and retail development of the proposed City Place project and will help reduce regional vehicle miles traveled (VMT) by giving more employees the opportunity to live in walking, biking, or a short drive from their workplace. However, buildout of the Specific Plan will result in a significant concentration of new residents on a 46-acre site on the City's border, resulting in changes to the local environment, especially with regard to biological resources, traffic patterns, and use of recreation facilities. Therefore, the City requests the EIR evaluate the following potential impacts related to air quality, biological resources, recreation/open space, and transportation/circulation:

1. Air Quality

The EIR should evaluate impacts to sensitive receptors from construction period air pollutants

during construction of development consistent with the Specific Plan. Sensitive receptors include residents in the City of San José across the Guadalupe River, approximately 500 feet east of the Specific Plan area.

2. Biological Resources – Santa Clara Valley Habitat Conservation Plan

The EIR should evaluate potential impacts of new development adjacent to the Guadalupe River. Project design that includes more open space (part of the proposed ten acres of parks and open space) along the Guadalupe River could serve as a buffer between future development and the riparian habitat while serving as an amenity.

Although the project site is located outside of the Santa Clara Valley Habitat Plan (SCVHP) area, it is immediately adjacent to the border of the covered area, just west of the City of San José. The SCVHP is the best regional biology science available, particularly for Nitrogen Deposition, and should be evaluated as part of the EIR. Even though Santa Clara is not a part of the SCVHP, the EIR should utilize the SCVHP framework for analytical information, disclosure and mitigation, particularly with regard to potential impacts to the Bay Checkerspot Butterfly resulting from cumulative nitrogen deposition from trips generated by future development.

3. Open Space and Recreation Area

Given that the proposed project abuts the City of San José, with likely impacts to public usage of San José's parks, open space, and recreational facilities, the City has the following concerns related to: (1) inadequate park space, (2) utilization of City's trail network, (3) habitat and open space connectivity, and (4) future adaptation measures to address climate change.

Recognizing that the Quimby Act and Mitigation Fee Act are imperfect measures to achieve adequate recreational land for residents, the City is concerned that the proposed 10-acre park is substantially below the City of Santa Clara's Parkland In-lieu Fee Schedule for New Residential Development (Resolution No. 17-8427) and the Quimby Act requirement for open space. As described in the ordinance and depending on whether a project is subject to Quimby Act or Mitigation Fee Act, individual residential projects in the development should be subject to a parkland obligation of either 3.0 or 2.53 acres per 1,000 residents, respectively. Assuming that to achieve the densities proposed in the Specific Plan, all units in the plan will be multifamily units with occupancy calculated at 2.24 residents per dwelling unit, the overall Specific Plan should be required to provide between 25.5 and 30.2 acres. The proposed 10 acres is substantially lower than both the City of San Clara and Quimby Act's requirements for recreation and open space and therefore, demand for public recreation facilities from new residents within the Specific Plan area will negatively impact San José's trail, park and other recreation facilities. The Specific Plan and EIR should account for how the additional parkland need will be addressed.

4. Traffic/Transportation

Please consider the following when preparing the traffic analysis:

- North San José Area Development Policy (NSJADP) and North San José Deficiency Plan (NSJDP)
- US 101 / Oakland Transportation Development Policy
- VMT analysis - Implementing SB743
- City of San José Protected Intersections
- City of San José TIA Guidelines
- VTA's CMP analysis
- Provide trip assignment distribution
    - Include number of AM/PM Peak hour trips distributed to protected intersections, freeways (US-101 Oakland, Mabury)
- TDM
    - Reduce parking, add bike parking, employer incentives, Eco Passes, unbundled parking, incorporate a TMA (Transportation Management Association) to provide transportation services/resources information to encourage trip reduction

Analysis review: To expedite EIR review, please consider all technical documents to be disclosure documents for all stakeholders, including the general public in addition to technical staff/reviewers.

City of San José development projects in the vicinity: Please contact City of San José Department of Public Works for current City of San José project list.

- PD16-034 - Top Golf
- PD15-053 - America Center Building 5
- PDC15-016 - Marriott Residence Inn
- SP16-053 - Cilker
- H15-037 - Boston Properties
- North San José

Evaluate the following City of San José intersections using TRAFFIX:

- Gold Street/Gold Street Connector (City of San José)
- Great America Parkway / State Hwy 237 (N)
- Great America Parkway / State Hwy 237 (S)
- N. First Street / Nortech Parkway
- Disk Drive / Nortech Parkway
- Wilson Drive / Grand Blvd
- N. First Street / State Hwy 237 (S)
- N. First Street / State Hwy 237 (N)
- N. First Street / Holger Way (Lamplighter Way)
- N. First Street / Headquarters Drive (Vista Montana)
- W. Tasman Drive / Vista Montana
- Renaissance Drive / Vista Montana

- W. Tasman Drive / Champion Court
- W. Tasman Drive / Rio Robles
- N. First Street / W. Tasman Drive
- N. First Street / Rio Robles
- N. First Street / River Oaks Parkway
- N. First Street / Montague Expressway
- Baypointe Parkway / Tasman Drive
- Zanker Road / State Hwy 237 (N)
- Zanker Road / State Hwy 237 (S)
- Zanker Road / Holger Way
- Zanker Road / Baypointe Parkway
- Zanker Road / Tasman Drive
- Zanker Road / Alicante Drive
- Zanker Road / River Oaks Parkway
- Zanker Road / Sony Driveway
- Zanker Road / Innovation Drive
- Zanker Road / Montague Expressway
- Cisco Way / Tasman Drive
- Any other intersections that meet the CMP Guidelines for analysis

Please identify any and all transportation improvements that may result from the full build-out of Specific Plan. We request that you coordinate with City of San José staff to provide seamless transportation connections between San José and Santa Clara:

1. City of San José intersections (using City of San José Council Policy 5-3 criteria)
2. Multimodal Bike, Ped and transit facilities

For impacts in North San José, please refer to the NSJADP and NSJDP. For impacts in other areas of San José, please provide preliminary mitigation proposals for San José review and approval.

CONCLUSION

We thank you for the opportunity to comment on the Revised NOP for the Tasman East Specific Plan EIR. The City of San José looks forward to continued collaboration, communication, and implementation of the project. If you should have any questions, please feel free to contact David Keyon, Supervising Environmental Planner at david.keyon@sanjoséca.gov or (408) 535-7898.

Sincerely,

Ned Thomas, Division Manager
Planning, Building and Code Enforcement
City of San José

CC: City's Department of Public Works
City's Department of Parks, Recreation, and Neighborhood Services

APPENDIX B-2
OPERATIONAL CALEEMOD MODELING UPDATE MEMO

ILLINGWORTH & RODKIN, INC.
Acoustics • Air Quality
429 E. Cotati Ave
Cotati, California 94931
Tel: 707-794-0400 *Fax: 707-794-0405*
www.illingworthrodkin.com *illro@illingworthrodkin.com*

M E M O

Date: October 10, 2018

To: **Will Burns, AICP**
Principal Project Manager
David J. Powers & Associates, Inc.
1611 Telegraph Avenue, Ste. 1002
Email: wburns@davidjpowers.com

From: James A. Reyff
Illingworth & Rodkin, Inc.
429 E. Cotati Ave
Cotati, CA 94931

RE: East Tasman Specific Plan, Santa Clara, CA

SUBJECT: Operational CalEEMod Modeling of Air Pollutant and GHG Emissions
Job#16-239

This memo addresses the issues regarding air pollutant and greenhouse gas emissions for the *Tasman East Specific Plan and EIR – Air Quality and Greenhouse Gas Assessment, Santa Clara, CA*. The operational emissions modeled using CalEEMod was updated in two ways:

1. The trip generation rates were adjusted to correct for previous adjustments made that include the net effect of the existing uses. The updated traffic inputs reflect only trips that the project would generate along with the computed average trip length by land use type. Operational emissions increase slightly with this effect.
2. The road dust silt loading factor was adjusted to reflect vehicle travel in Santa Clara County. This affects the emissions of PM10 and PM2.5 associated with vehicle travel and lowers emissions considerably. The silt loading factor, which is essentially a measure of dust on the roadways that becomes entrained with vehicle passage, is now based on the assumptions used by the California Air Resources Board (CARB) for predicting emissions in Satan Clara County.
3. The existing uses scenario was modified to include the most recent trip rates. These increased slightly.

The revised modeling results for air pollutant emissions are reported in Table 1 (this is the updated Table 5 from the air quality and GHG report). Worksheets that include the traffic assumptions and road silt loading calculations along with the CalEEMod output are provided in Attachment 1.

TABLE 1 Operational Period Emissions

Scenario	ROG	NOx	PM_{10}	$PM_{2.5}$
Annual Project Operational emissions (tons)	22.68 tons	19.43 tons	10.75 tons	3.39 tons
Existing Operational Emissions (tons)	3.11 tons	3.03 tons	1.38 tons	0.46 tons
Total Net Project Operational emissions (tons)	19.57 tons	16.40 tons	9.37 tons	2.93 tons
BAAQMD Thresholds (tons per year)	*10 tons project*	*10 tons project*	*15 tons project*	*10 tons project*
Average Daily Net Project Operational Emissions (pounds)[1]	107 lbs.	90 lbs.	51 lbs.	16 lbs.
BAAQMD Thresholds (pounds per day)	*54* lbs. *project*	*54* lbs. *project*	*82* lbs. *project*	*54* lbs. *project*

[1] Assumes 365-day operation.

Attachment

E. Tasman Plan Area

Trip and VMT Estimates

Land Use	Size	Size Metric	Default	Daily Trip Rate			Trip Length by Purpose (mi)						Trip Type (%)			Trip Purpose (%)					
				Weekday	Saturday	Sunday	Res H-W	Res H-S	Res H-O	NR C-C	NR C-C	NR C-NW	Primary	Diverted	Passby	Res H-W	Res H-S	Res H-O	NR C-C	NR C-C	NR C-NW
Apartments Mid Rise	4500	Dwelling Unit	6.65	5.31	5.11	4.68	5.265	5.265	5.265	0	0	0	100%	0%	0%	31%	15%	54%	0%	0%	0%
Elementary School	600	Student	1.05	1.05	0.00	0.00	0	0	0	7.3	9.5	7.3	100%	0%	0%	0%	0%	0%	30%	65%	5%
Strip Mall	106	1000sqft	44.32	58.10	55.11	26.78	0	0	0	2.3305	2.3305	2.3305	100%	0%	0%	0%	0%	0%	64%	17%	19%

Daily Trips

	Total Daily Trips			Primary Trips			Diverted Trips (25% of Primary)			Passby Trips (0.1mi)		
Apartments Mid Rise	23,915	22,980	21,074	23,915	22,980	21,074	-	-	-	-	-	-
Elementary School	630	-	-	630	-	-	-	-	-	-	-	-
Strip Mall	6,159	5,842	2,839	6,159	5,842	2,839	-	-	-	-	-	-

Daily VMT

	Total VMT			Primary			Diverted (25% of Primary)			Passby (0.1mi)		
Apartments Mid Rise	125,912	120,990	110,954	125,912	120,990	110,954	-	-	-	-	-	-
Elementary School	5,500	-	-	5,500	-	-	-	-	-	-	-	-
Strip Mall	14,354	13,615	6,616	14,354	13,615	6,616	-	-	-	-	-	-

Daily Weekday Trips	30,704		
Annual Trips	10,754,735		
Daily Weekday VMT:	145,766		
Annual VMT	51,152,419	avg trip length	4.76
CalEEMod			

Revised Table 7-1: Daily Project Trips and Vehicle Miles Tra

	Internal[1]	External	Total	*Computed Rate*	
Housing (Project)[2]					
Daily Number of Trips (a)	2,678	21,237	23,915	*5.31*	trip/day
Average Trip Length (b)	1	5.8	-		
(1) VMT (a x b)[3]	2,678	123,175	125,853	*5.26*	mi/trip
Retail (Project)[2]					
Daily Number of Trips (a)	696	5,463	6,159	*58.10*	trip/day
Average Trip Length (b)	1	2.5	-		
(2) VMT (a x b)[3]	696	13,658	14,354	*2.33*	mi/trip
Total Trips			30,074		
Total VMT (1 + 2)	**3,374**	**136,833**	**140,207**		

Notes:

1. The number of trips internalized to the site is obtained from MainStreet as described in the trip generation section of the report. School trips are excluded from this analysis because school VMT is assumed to be part of residential VMT totals. As a result, no additional school-specific VMT is expected to be generated beyond the total residential VMT.
2. The trip length for retail and residential land uses is obtained from the California Household Travel Survey data for northern Santa Clara. Retail average vehicle trip length based on typical vehicle trip distance to nearby retail centers. Trip lengths rounded to the nearest tenth of a mile.
3. VMT is calculated by multiplying the average trip length for each land use by the total number of auto trips for each land use.

Table 3-4: Project Trip Generation: Existing Conditions

Land Uses	ITE Code	Units	Quantity	Daily Trips	AM			PM			
					In	Out	Total	In	Out	Total	
Proposed Uses											
Residential	220	Dwelling Units	4,500	27,395	445	1,765	2,210	1,620	875	2,495	
Shopping Center (Retail)	820	ksf	106	7,055	100	60	160	295	330	625	
Subtotal				*34,450*	*545*	*1,825*	*2,370*	*1,915*	*1,205*	*3,120*	
Internalization and Transit Trip Reduction %s				12.70%	16.20%			18.90%			
Trip Reductions				-4,380	-90	-295	-385	-360	-235	-595	
School	NA	students	600	965	325	270	595	180	190	370	
Walk/Bike Reduction (35%)				-340	-115	-95	-210	-60	-70	-130	
Total				**30,695**	**665**	**1,705**	**2,370**	**1,675**	**1,090**	**2,765**	
Existing Uses											
Light Industrial	110	ksf	708	4,935	575	75	650	85	605	690	
Trip Reductions (%)				*9.60%*	*12.40%*			*11.60%*			
				475	*75*	*5*	*80*	*15*	*65*	*80*	
Total				**4,460**	**500**	**70**	**570**	**70**	**540**	**610**	6.29944
Net-Added Traffic											
				26,235	***165***	***1,635***	***1,800***	***1,605***	***550***	***2,155***	

Santa Clara County

Entrained PM2.5 Road Dust Emission Factors

$E_{2.5} = [k(sL)^{0.91} \times (W)^{1.02} \times (1-P/4N) \times 453.59$

where:

$E_{2.5}$ = $PM_{2.5}$ emission factor (g/VMT)

k = particle size multiplier (g/VMT) [$k_{PM2.5} = k_{PM10} \times (0.0686/0.4572) = 1.0 \times 0.15 = 0.15$ g/VMT][a]

sL = roadway specific silt loading (g/m^2)

W = average weight of vehicles on road (Bay Area default = 2.4 tons)[a]

P = number of days with at least 0.01 inch of precipitation in the annual averaging period

N = number of days in the annual averaging period (default = 365)

Notes: [a] CARB 2014, Miscellaneous Process Methodology 7.9, Entrained Road Travel, Paved Road Dust (Revised and updated, April 2014)

Road Type	Silt Loading (g/m^2)	Average Weight (tons)	County	No. Days ppt > 0.01"	$PM_{2.5}$ Emission Factor (g/VMT)	PM2.5 Emission Factor ($lb/10^6$ VMT)
Composite	0.0431	2.4	Santa Clara	0	0.02091	46.1

SFBAAB[a]

Road Type	Silt Loading (g/m^2)
Freeway	0.02
Major	0.032
Collector	0.032
Local	0.32

SFBAAB[a]

County	>0.01 inch precipitation
Alameda	61
Contra Costa	60
Marin	66
Napa	68
San Francisco	67
San Mateo	60
Santa Clara	64
Solano	54
Sonoma	69

Road Type	Silt Loading (g/m^2)	Fraction of Time on Road Type[b]	Fraction of Total Silt Loading (g/m^2)
Freeway	0.015	0.434	0.0065
Major	0.032	0.449	0.0144
Collector	0.032	0.054	0.0017
Local	0.32	0.064	0.0205
Composite - Total		***1.00***	***0.0431***

Notes: [a] CARB 2014, Miscellaneous Process Methodology 7.9, Entrained Road Travel, Paved Road Dust - Table 6 for Santa Clara County (Revised and updated, Nov. 2016)

E. Tasman

Santa Clara County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Elementary School	600.00	Student	0.00	50,162.02	50
Apartments Mid Rise	4,500.00	Dwelling Unit	41.40	4,500,000.00	12285
Strip Mall	106.00	1000sqft	0.00	106,000.00	265

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	58
Climate Zone	4			**Operational Year**	2030
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	380	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Santa Clara GP = 380 (post 2020 when coal phased out) and 0.029, 0.00617

Land Use - Project Site = 41.4 acres. School = 50 workers, Retail = 265, Housing = 2.73pphh = 12,28 -> total = 12,600

Construction Phase -

Off-road Equipment -

Vehicle Trips - Using TIA trip generation and VMT data. No passby or diverted

Road Dust - using SC County silt loading

Woodstoves - no woodstoves or woodburning = 1,444 nat gas fireplaces

Consumer Products - Consumer Products adjusted for change in inventory and population projections = 78% of 2008 emissions 0.0000167

Area Coating -

Energy Use -

Water And Wastewater - All WTP treatment

Table Name	Column Name	Default Value	New Value
tblConsumerProducts	ROG_EF	2.14E-05	1.67E-05
tblFireplaces	FireplaceWoodMass	228.80	0.00
tblFireplaces	NumberGas	675.00	1,440.00
tblFireplaces	NumberWood	765.00	0.00
tblLandUse	LotAcreage	1.15	0.00
tblLandUse	LotAcreage	118.42	41.40
tblLandUse	LotAcreage	2.43	0.00
tblLandUse	Population	0.00	50.00
tblLandUse	Population	12,870.00	12,285.00
tblLandUse	Population	0.00	265.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	380
tblRoadDust	RoadSiltLoading	0.1	0.0431
tblVehicleTrips	CC_TL	7.30	2.33
tblVehicleTrips	CNW_TL	7.30	2.33
tblVehicleTrips	CW_TL	9.50	2.33
tblVehicleTrips	DV_TP	11.00	0.00
tblVehicleTrips	DV_TP	25.00	0.00
tblVehicleTrips	DV_TP	40.00	0.00
tblVehicleTrips	HO_TL	5.70	5.26
tblVehicleTrips	HS_TL	4.80	5.26
tblVehicleTrips	HW_TL	10.80	5.26
tblVehicleTrips	PB_TP	3.00	0.00
tblVehicleTrips	PB_TP	12.00	0.00
tblVehicleTrips	PB_TP	15.00	0.00
tblVehicleTrips	PR_TP	86.00	100.00

tblVehicleTrips	PR_TP	63.00	100.00
tblVehicleTrips	PR_TP	45.00	100.00
tblVehicleTrips	ST_TR	6.39	5.11
tblVehicleTrips	ST_TR	42.04	55.11
tblVehicleTrips	SU_TR	5.86	4.68
tblVehicleTrips	SU_TR	20.43	26.78
tblVehicleTrips	WD_TR	6.65	5.31
tblVehicleTrips	WD_TR	1.29	1.05
tblVehicleTrips	WD_TR	44.32	58.10
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWoodstoves	WoodstoveWoodMass	582.40	0.00

2.0 Emissions Summary

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					

Area	18.4555	0.5395	33.3972	2.7600e-003		0.1979	0.1979		0.1979	0.1979	0.0000	234.3608	234.3608	0.0555	3.3000e-003	236.7299
Energy	0.2160	1.8491	0.8107	0.0118		0.1492	0.1492		0.1492	0.1492	0.0000	5,581.4620	5,581.4620	0.3038	0.0936	5,616.9396
Mobile	4.0048	17.0391	41.0558	0.1678	10.2867	0.1154	10.4021	2.9446	0.1073	3.0519	0.0000	15,451.3717	15,451.3717	0.4672	0.0000	15,463.0514
Waste						0.0000	0.0000		0.0000	0.0000	465.0117	0.0000	465.0117	27.4814	0.0000	1,152.0468
Water						0.0000	0.0000		0.0000	0.0000	107.0247	398.8003	505.8250	0.3988	0.2390	587.0292
Total	**22.6763**	**19.4277**	**75.2638**	**0.1824**	**10.2867**	**0.4625**	**10.7492**	**2.9446**	**0.4544**	**3.3990**	**572.0364**	**21,665.9947**	**22,238.0311**	**28.7067**	**0.3359**	**23,055.7969**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	18.4555	0.5395	33.3972	2.7600e-003		0.1979	0.1979		0.1979	0.1979	0.0000	234.3608	234.3608	0.0555	3.3000e-003	236.7299
Energy	0.2160	1.8491	0.8107	0.0118		0.1492	0.1492		0.1492	0.1492	0.0000	5,581.4620	5,581.4620	0.3038	0.0936	5,616.9396
Mobile	4.0048	17.0391	41.0558	0.1678	10.2867	0.1154	10.4021	2.9446	0.1073	3.0519	0.0000	15,451.3717	15,451.3717	0.4672	0.0000	15,463.0514
Waste						0.0000	0.0000		0.0000	0.0000	465.0117	0.0000	465.0117	27.4814	0.0000	1,152.0468
Water						0.0000	0.0000		0.0000	0.0000	107.0247	398.8003	505.8250	0.3988	0.2390	587.0292
Total	**22.6763**	**19.4277**	**75.2638**	**0.1824**	**10.2867**	**0.4625**	**10.7492**	**2.9446**	**0.4544**	**3.3990**	**572.0364**	**21,665.9947**	**22,238.0311**	**28.7067**	**0.3359**	**23,055.7969**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	4.0048	17.0391	41.0558	0.1678	10.2867	0.1154	10.4021	2.9446	0.1073	3.0519	0.0000	15,451.3717	15,451.3717	0.4672	0.0000	15,463.0514
Unmitigated	4.0048	17.0391	41.0558	0.1678	10.2867	0.1154	10.4021	2.9446	0.1073	3.0519	0.0000	15,451.3717	15,451.3717	0.4672	0.0000	15,463.0514

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	23,895.00	22,995.00	21060.00	44,728,726	44,728,726
Elementary School	630.00	0.00	0.00	1,429,974	1,429,974
Strip Mall	6,158.60	5,841.66	2838.68	4,782,590	4,782,590
Total	30,683.60	28,836.66	23,898.68	50,941,289	50,941,289

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-...	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	5.26	5.26	5.26	31.00	15.00	54.00	100	0	0
Elementary School	9.50	7.30	7.30	65.00	30.00	5.00	100	0	0
Strip Mall	2.33	2.33	2.33	16.60	64.40	19.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651

Elementary School	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651
Strip Mall	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	3,444.0423	3,444.0423	0.2628	0.0544	3,466.8183
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	3,444.0423	3,444.0423	0.2628	0.0544	3,466.8183
NaturalGas Mitigated	0.2160	1.8491	0.8107	0.0118		0.1492	0.1492		0.1492	0.1492	0.0000	2,137.4197	2,137.4197	0.0410	0.0392	2,150.1213
NaturalGas Unmitigated	0.2160	1.8491	0.8107	0.0118		0.1492	0.1492		0.1492	0.1492	0.0000	2,137.4197	2,137.4197	0.0410	0.0392	2,150.1213

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	3.88775e+007	0.2096	1.7914	0.7623	0.0114		0.1448	0.1448		0.1448	0.1448	0.0000	2,074.6528	2,074.6528	0.0398	0.0380	2,086.9814
Elementary School	924988	4.9900e-003	0.0453	0.0381	2.7000e-004		3.4500e-003	3.4500e-003		3.4500e-003	3.4500e-003	0.0000	49.3609	49.3609	9.5000e-004	9.0000e-004	49.6542

Strip Mall	251220	1.3500e-003	0.0123	0.0103	7.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	13.4061	13.4061	2.6000e-004	2.5000e-004	13.4857
Total		**0.2160**	**1.8491**	**0.8107**	**0.0118**		**0.1492**	**0.1492**		**0.1492**	**0.1492**	**0.0000**	**2,137.4197**	**2,137.4197**	**0.0410**	**0.0392**	**2,150.1213**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	3.88775e+007	0.2096	1.7914	0.7623	0.0114		0.1448	0.1448		0.1448	0.1448	0.0000	2,074.6528	2,074.6528	0.0398	0.0380	2,086.9814
Elementary School	924988	4.9900e-003	0.0453	0.0381	2.7000e-004		3.4500e-003	3.4500e-003		3.4500e-003	3.4500e-003	0.0000	49.3609	49.3609	9.5000e-004	9.0000e-004	49.6542
Strip Mall	251220	1.3500e-003	0.0123	0.0103	7.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	13.4061	13.4061	2.6000e-004	2.5000e-004	13.4857
Total		**0.2160**	**1.8491**	**0.8107**	**0.0118**		**0.1492**	**0.1492**		**0.1492**	**0.1492**	**0.0000**	**2,137.4197**	**2,137.4197**	**0.0410**	**0.0392**	**2,150.1213**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.85776e+007	3,202.1256	0.2444	0.0506	3,223.3018
Elementary School	270373	46.6029	3.5600e-003	7.4000e-004	46.9111
Strip Mall	1.13314e+006	195.3138	0.0149	3.0800e-003	196.6054
Total		**3,444.0423**	**0.2628**	**0.0544**	**3,466.8183**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.85776e+007	3,202.1256	0.2444	0.0506	3,223.3018
Elementary School	270373	46.6029	3.5600e-003	7.4000e-004	46.9111
Strip Mall	1.13314e+006	195.3138	0.0149	3.0800e-003	196.6054
Total		**3,444.0423**	**0.2628**	**0.0544**	**3,466.8183**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	18.4555	0.5395	33.3972	2.7600e-003		0.1979	0.1979		0.1979	0.1979	0.0000	234.3608	234.3608	0.0555	3.3000e-003	236.7299
Unmitigated	18.4555	0.5395	33.3972	2.7600e-003		0.1979	0.1979		0.1979	0.1979	0.0000	234.3608	234.3608	0.0555	3.3000e-003	236.7299

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	3.2492					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	14.1908					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0182	0.1552	0.0661	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	179.7686	179.7686	3.4500e-003	3.3000e-003	180.8369
Landscaping	0.9974	0.3842	33.3312	1.7600e-003		0.1853	0.1853		0.1853	0.1853	0.0000	54.5922	54.5922	0.0520	0.0000	55.8930
Total	**18.4555**	**0.5395**	**33.3972**	**2.7500e-003**		**0.1979**	**0.1979**		**0.1979**	**0.1979**	**0.0000**	**234.3608**	**234.3608**	**0.0555**	**3.3000e-003**	**236.7299**

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	3.2492					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	14.1908					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0182	0.1552	0.0661	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	179.7686	179.7686	3.4500e-003	3.3000e-003	180.8369
Landscaping	0.9974	0.3842	33.3312	1.7600e-003		0.1853	0.1853		0.1853	0.1853	0.0000	54.5922	54.5922	0.0520	0.0000	55.8930
Total	**18.4555**	**0.5395**	**33.3972**	**2.7500e-003**		**0.1979**	**0.1979**		**0.1979**	**0.1979**	**0.0000**	**234.3608**	**234.3608**	**0.0555**	**3.3000e-003**	**236.7299**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	505.8250	0.3988	0.2390	587.0292
Unmitigated	505.8250	0.3988	0.2390	587.0292

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	293.193 / 184.839	488.6933	0.3864	0.2317	567.3889
Elementary School	1.45454 / 3.74026	4.1276	2.0500e-003	1.1800e-003	4.5293
Strip Mall	7.85169 / 4.81232	13.0041	0.0103	6.2000e-003	15.1110
Total		**505.8250**	**0.3988**	**0.2390**	**587.0292**

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e

Land Use	Mgal	MT/yr			
Apartments Mid Rise	293.193 / 184.839	488.6933	0.3864	0.2317	567.3889
Elementary School	1.45454 / 3.74026	4.1276	2.0500e-003	1.1800e-003	4.5293
Strip Mall	7.85169 / 4.81232	13.0041	0.0103	6.2000e-003	15.1110
Total		**505.8250**	**0.3988**	**0.2390**	**587.0292**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	465.0117	27.4814	0.0000	1,152.0468
Unmitigated	465.0117	27.4814	0.0000	1,152.0468

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			

Apartments Mid Rise	2070	420.1913	24.8326	0.0000	1,041.0061
Elementary School	109.5	22.2275	1.3136	0.0000	55.0677
Strip Mall	111.3	22.5929	1.3352	0.0000	55.9729
Total		**465.0117**	**27.4814**	**0.0000**	**1,152.0468**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	2070	420.1913	24.8326	0.0000	1,041.0061
Elementary School	109.5	22.2275	1.3136	0.0000	55.0677
Strip Mall	111.3	22.5929	1.3352	0.0000	55.9729
Total		**465.0117**	**27.4814**	**0.0000**	**1,152.0468**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

E Tasman

Santa Clara County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Light Industry	708.00	1000sqft	16.25	708,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	58
Climate Zone	4			**Operational Year**	2018
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	380	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - SVP Post-2020 Rate

Land Use - Existing uses w/o parking lots and default acreage

Construction Phase - Just operational

Off-road Equipment - Just operational

Trips and VMT - Just operational

Vehicle Trips - From TIA with traffic adjustments 4460 daily (weekday)/708 ksf =6.30-> 6.30,1.20,0.61 VMT = 21,625 or 5.22 mi/trip No passby/diverted

Road Dust - CARB's entrained roadway dust emission factor of 0.0431

Consumer Products - Adjusted consumer product rate

Energy Use - Historical data

Water And Wastewater - All WTP treatment

Table Name	Column Name	Default Value	New Value
tblConsumerProducts	ROG_EF	2.14E-05	1.67E-05
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	4.00	0.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	380
tblRoadDust	RoadSiltLoading	0.1	0.0431
tblVehicleTrips	CC_TL	7.30	5.22
tblVehicleTrips	CNW_TL	7.30	5.22
tblVehicleTrips	CW_TL	9.50	5.22
tblVehicleTrips	DV_TP	5.00	0.00
tblVehicleTrips	PB_TP	3.00	0.00
tblVehicleTrips	PR_TP	92.00	100.00
tblVehicleTrips	ST_TR	1.32	1.20
tblVehicleTrips	SU_TR	0.68	0.61
tblVehicleTrips	WD_TR	6.97	6.30
tblWater	AerobicPercent	87.46	100.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	SepticTankPercent	10.33	0.00

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Maximum	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Maximum	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

	ROG	**NOx**	**CO**	**SO2**	**Fugitive PM10**	**Exhaust PM10**	**PM10 Total**	**Fugitive PM2.5**	**Exhaust PM2.5**	**PM2.5 Total**	**Bio- CO2**	**NBio-CO2**	**Total CO2**	**CH4**	**N20**	**CO2e**
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	**Start Date**	**End Date**	**Maximum Unmitigated ROG + NOX (tons/quarter)**	**Maximum Mitigated ROG + NOX (tons/quarter)**
		Highest		

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.5276	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135

Energy	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	2,255.8964	2,255.8964	0.1090	0.0384	2,270.0738
Mobile	0.4716	2.0160	5.0215	0.0209	1.2927	0.0143	1.3069	0.3700	0.0132	0.3833	0.0000	1,924.1974	1,924.1974	0.0572	0.0000	1,925.6270
Waste						0.0000	0.0000		0.0000	0.0000	178.2098	0.0000	178.2098	10.5319	0.0000	441.5073
Water						0.0000	0.0000		0.0000	0.0000	57.9262	152.7010	210.6272	0.2110	0.1284	254.1606
Total	**3.1109**	**3.0312**	**5.8809**	**0.0270**	**1.2927**	**0.0914**	**1.3841**	**0.3700**	**0.0904**	**0.4604**	**236.1360**	**4,332.8074**	**4,568.9434**	**10.9091**	**0.1668**	**4,891.3822**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.5276	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135
Energy	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	2,255.8964	2,255.8964	0.1090	0.0384	2,270.0738
Mobile	0.4716	2.0160	5.0215	0.0209	1.2927	0.0143	1.3069	0.3700	0.0132	0.3833	0.0000	1,924.1974	1,924.1974	0.0572	0.0000	1,925.6270
Waste						0.0000	0.0000		0.0000	0.0000	178.2098	0.0000	178.2098	10.5319	0.0000	441.5073
Water						0.0000	0.0000		0.0000	0.0000	57.9262	152.7010	210.6272	0.2110	0.1284	254.1606
Total	**3.1109**	**3.0312**	**5.8809**	**0.0270**	**1.2927**	**0.0914**	**1.3841**	**0.3700**	**0.0904**	**0.4604**	**236.1360**	**4,332.8074**	**4,568.9434**	**10.9091**	**0.1668**	**4,891.3822**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	4/16/2018	4/27/2018	5	10	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	0	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	0	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	0	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.4716	2.0160	5.0215	0.0209	1.2927	0.0143	1.3069	0.3700	0.0132	0.3833	0.0000	1,924.1974	1,924.1974	0.0572	0.0000	1,925.6270
Unmitigated	0.4716	2.0160	5.0215	0.0209	1.2927	0.0143	1.3069	0.3700	0.0132	0.3833	0.0000	1,924.1974	1,924.1974	0.0572	0.0000	1,925.6270

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT

General Light Industry	4,460.40	849.60	431.88	6,401,500	6,401,500
Total	4,460.40	849.60	431.88	6,401,500	6,401,500

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Light Industry	5.22	5.22	5.22	59.00	28.00	13.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Light Industry	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651

5.0 Energy Detail

Historical Energy Use: Y

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	1,150.7853	1,150.7853	0.0878	0.0182	1,158.3956
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	1,150.7853	1,150.7853	0.0878	0.0182	1,158.3956
NaturalGas Mitigated	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	1,105.1111	1,105.1111	0.0212	0.0203	1,111.6782
NaturalGas Unmitigated	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	1,105.1111	1,105.1111	0.0212	0.0203	1,111.6782

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
General Light Industry	2.0709e+007	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	1,105.1111	1,105.1111	0.0212	0.0203	1,111.6782
Total		**0.1117**	**1.0152**	**0.8527**	**6.0900e-003**		**0.0772**	**0.0772**		**0.0772**	**0.0772**	**0.0000**	**1,105.1111**	**1,105.1111**	**0.0212**	**0.0203**	**1,111.6782**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
General Light Industry	2.0709e+007	0.1117	1.0152	0.8527	6.0900e-003		0.0772	0.0772		0.0772	0.0772	0.0000	1,105.1111	1,105.1111	0.0212	0.0203	1,111.6782
Total		**0.1117**	**1.0152**	**0.8527**	**6.0900e-003**		**0.0772**	**0.0772**		**0.0772**	**0.0772**	**0.0000**	**1,105.1111**	**1,105.1111**	**0.0212**	**0.0203**	**1,111.6782**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
General Light Industry	6.67644e+006	1,150.7853	0.0878	0.0182	1,158.3956

Total		**1,150.7853**	**0.0878**	**0.0182**	**1,158.3956**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
General Light Industry	6.67644e+006	1,150.7853	0.0878	0.0182	1,158.3956
Total		**1,150.7853**	**0.0878**	**0.0182**	**1,158.3956**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.5276	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135
Unmitigated	2.5276	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.3692					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.1578					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	6.3000e-004	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135
Total	**2.5276**	**6.0000e-005**	**6.6000e-003**	**0.0000**		**2.0000e-005**	**2.0000e-005**		**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0127**	**0.0127**	**3.0000e-005**	**0.0000**	**0.0135**

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.3692					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.1578					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	6.3000e-004	6.0000e-005	6.6000e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	0.0127	0.0127	3.0000e-005	0.0000	0.0135
Total	**2.5276**	**6.0000e-005**	**6.6000e-003**	**0.0000**		**2.0000e-005**	**2.0000e-005**		**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0127**	**0.0127**	**3.0000e-005**	**0.0000**	**0.0135**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	210.6272	0.2110	0.1284	254.1606
Unmitigated	210.6272	0.2110	0.1284	254.1606

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
General Light Industry	163.725 / 0	210.6272	0.2110	0.1284	254.1606
Total		**210.6272**	**0.2110**	**0.1284**	**254.1606**

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			

General Light Industry	163.725 / 0	210.6272	0.2110	0.1284	254.1606
Total		**210.6272**	**0.2110**	**0.1284**	**254.1606**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	178.2098	10.5319	0.0000	441.5073
Unmitigated	178.2098	10.5319	0.0000	441.5073

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
General Light Industry	877.92	178.2098	10.5319	0.0000	441.5073
Total		**178.2098**	**10.5319**	**0.0000**	**441.5073**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
General Light Industry	877.92	178.2098	10.5319	0.0000	441.5073
Total		**178.2098**	**10.5319**	**0.0000**	**441.5073**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

APPENDIX C-3
EASTSIDE DRAINAGE
SWALE MEMO

Memorandum

From: Michael Josselyn, PhD PWS
josselyn@wra-ca.com

Date: October 9, 2018

Subject: Tasman East Specific Plan Area—East Side Drainage Swale

This memorandum provides our opinion on the East Side Drainage Swale (ESDS) as described in the Tasman East Specific Plan Area EIR and its jurisdictional status. WRA prepared documentation on this stormwater conveyance feature during the EIR process.

The ESDS is an entirely man-made feature. WRA reviewed historical topographic maps and aerial photographs dating back to the 1960s and also commentary and maps contained in the 2010 San Francisco Estuary Institute (SFEI) report entitled the "Historical Ecology of the Western Santa Clara Valley." The historical channel of the Guadalupe River was further east from the ESDS and the land currently occupied by the ESDS was in agricultural and orchard use in photos contained by 1939 (SFEI 2010). No wetlands or tributaries to the Guadalupe River existed in the area of the ESDS. By the 1960s, the Guadalupe River had been channelized for flood protection and the lands bordering the property were still in orchard production.

The ESDS was constructed in 1971 as a stormwater run-off conveyance as commercial and residential developments replaced the orchards and agricultural areas in the area. It carries stormwater from these developments to the Eastside Stormwater Retention Basin to the northwest, where the stormwater can be pumped into the river, if the stormwater treatment basin is full. The stormwater treatment basin and the pump station are owned and operated by the City of Santa Clara. The City also has an easement over the ESDS and regularly maintains the ESDS through removal of sediment and vegetation. WRA observed such maintenance during site visits to the ESDS where vegetation had been mowed and excavation of sediments occurring. As such, the regular disturbance, lack of direct hydrologic connections with other natural features, the presence of stormwater pollutants, and the proximity to surrounding development greatly diminish the quality and functioning of the habitat within the ESDS.

The ESDS is an example of a drainage feature constructed on uplands that is not a "relocated tributary" or other natural stream. As such, it is likely exempt from Section 404 jurisdiction under the 2015 "Waters of the United States" Rule issued by the Environmental Protection Agency and the Corps of Engineers and now in effect in the State of California. The Rule includes an exemption for "ditches with intermittent flow that are not a relocated tributary, or excavated in a tributary, or drain wetlands". As demonstrated by the historic record, no tributaries were present at this location, nor does it contain a relocated tributary or drain wetlands.

Furthermore the Rule exempts “stormwater control features constructed to convey, treat, or store stormwater.” The ESDS is clearly a feature used to convey stormwater and therefore is exempt under Section 404.

The State of California has been in the process of developing guidance on how wetlands will be defined and regulated in the State. The Draft Wetland Policy that was released in 2017 and is currently under review for final publication also exempted stormwater detention, infiltration, or treatment features which would likely include the ESDS as part of the overall stormwater treatment system. The draft policy also included all exemptions made by the Corps of Engineers in their regulations. Should the Final Wetland Policy remain the same in terms of exemptions, then it will then include the exemptions contained in the 2015 Rule.

Even under the hypothetical that the ESDS is not exempt, it would qualify under the Nationwide Permit (NWP) program with the exception that if more than 300 feet of the ESDS were filled, it would require an exemption by the local District. The purpose of the NWP is to streamline permitting for those features with minimal impacts of “waters of the US”. To the extent that the ESDS is considered a “stream”, the Corps of Engineers have the ability to waive the 300 linear foot limit for losses of intermittent and ephemeral stream bed upon making a written determination that the proposed activity will result in no more than minimal individual and cumulative adverse environmental effects. It is likely that such a determination could be made given the man-made condition and routine maintenance of the ESDS.

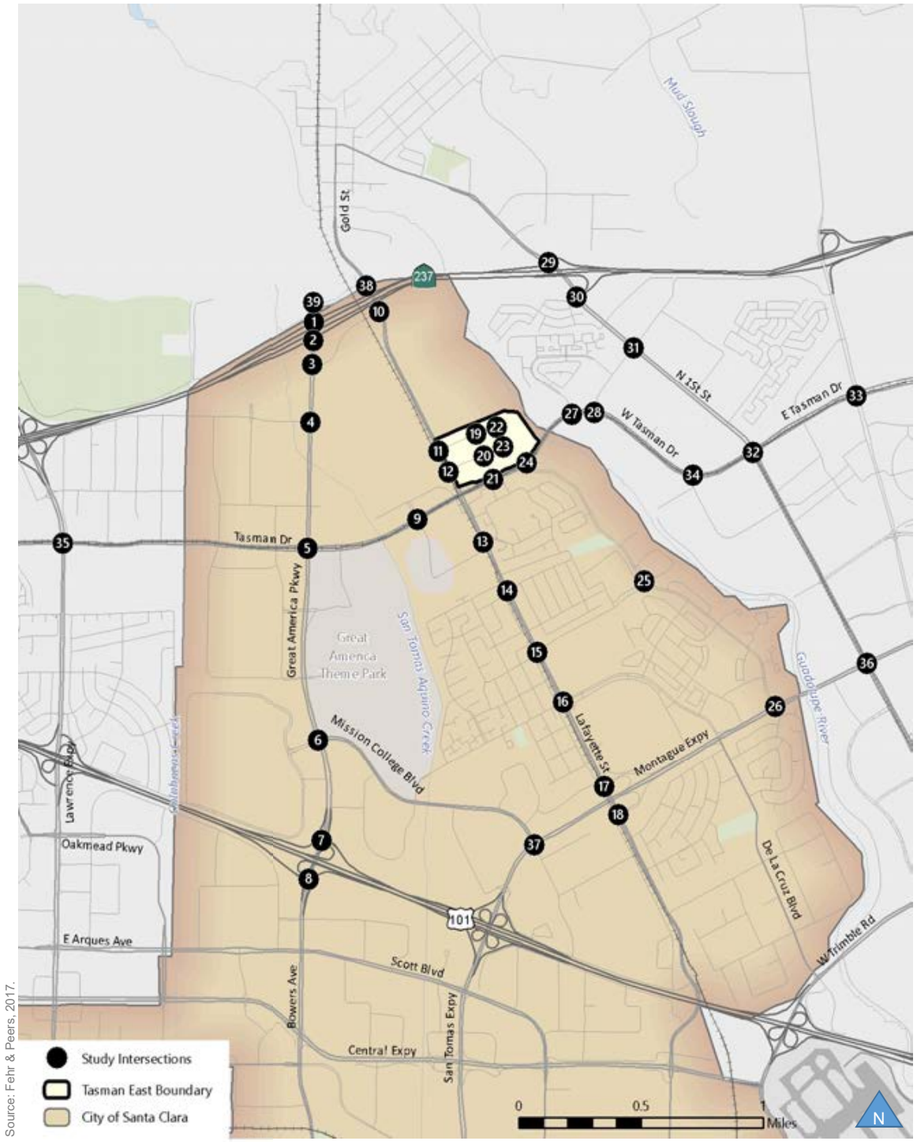
Appendix E Flood Impact Study; **REVISE** the discussion of Impact 6 as follows:

The project site is located within the inundation area of ~~two~~ three major dams, Anderson Dam, Lenihan Dam, and Guadalupe Dam. The site is located 26 miles northwest downstream of Anderson Dam and 17 miles downstream of the Lenihan and Guadalupe Dams. The site is not within the inundation boundaries of the Al~~a~~maden, Chesbro, Lexington, Stevens Creek, Uvas, or Vasona Dams. The Santa Clara Valley Water District (SCVWD) performed an analysis of the effects of Anderson Dam failure in ~~2009~~ 2016. This analysis resulted in an expected maximum inundation ~~depth of 9 feet (~~elevation of approximately 19.~~9~~73 feet~~)~~ at the project site within ~~9~~14 hours and ~~18~~15 minutes after dam failure. These results assume that the dam is at full capacity during failure for the inflow design flood. The dam, however, is currently kept at a maximum depth of about 68 percent full due to a recent SCVWD seismic analysis.1 The California Department of Safety of Dams determined that the dam may experience significant damage in an earthquake and the water level should remain about 25 feet below the spillway until seismic retrofits can be completed. The currently estimated date of completion is 2021. Due to the high water surface elevations occurring with a dam failure, designing the project to withstand dam inundation is infeasible.

The SCVWD also studied the Lenihan Dam on Lexington Reservoir and performed a dam inundation mapping in 2016. This analysis shows an expected maximum inundation elevation of approximately 14.9 feet at the project site within 5 hours and 55 minutes after dam failure.

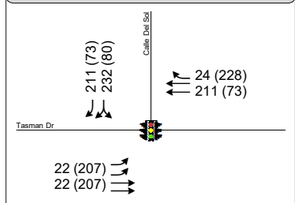
Furthermore, SCVWD performed an analysis of the effects of Guadalupe Dam failure in 2014. This analysis resulted in an expected maximum inundation ~~depth of 5.7 feet (~~elevation of approximately 13.3 feet~~)~~ at the project site within ~~14~~ 17 hours and ~~13~~ 19 minutes after dam failure. These results assume that the dam is at full capacity during failure for the inflow design flood. The Guadalupe Dam will soon be the subject of a seismic upgrade after a 2011 engineering study found it to be at risk during a large earthquake. Due to this seismic risk, the dam is currently operated with a restricted reservoir water level of 601 feet compared to its normal pool elevation of 619 feet.

Appendix G **INSERT** Figure 3-5 Project Trip Assignment (Existing Conditions) and Figure 3-6 Existing Plus Project Intersection Volumes with revised volumes for Intersection #35.



Source: Fehr & Peers, 2017.

21. Calle Del Sol/Tasman Dr



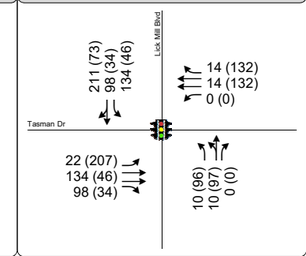
22. Lick Mill Blvd/Calle Del Mundo

Internal Intersection

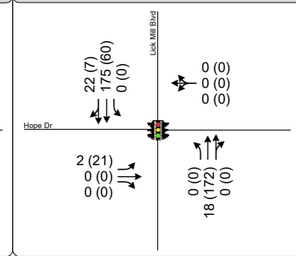
23. Lick Mill Blvd/Calle De Luna

Internal Intersection

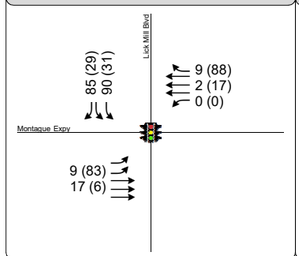
24. Lick Mill Blvd/Tasman Dr



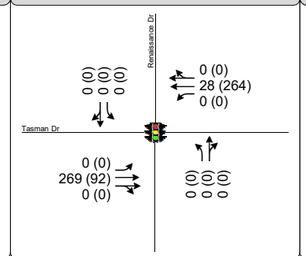
25. Lick Mill Blvd/Hope Dr



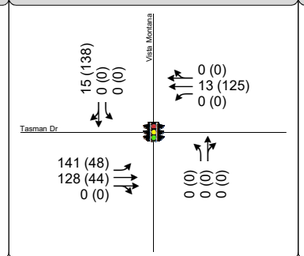
26. Lick Mill Blvd/Montague Expy



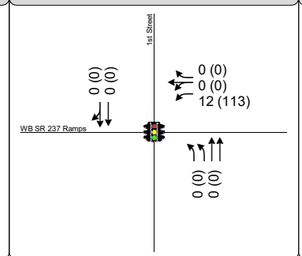
27. Renaissance Dr/Tasman Dr



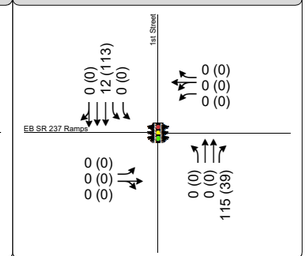
28. Vista Montana/Tasman Dr



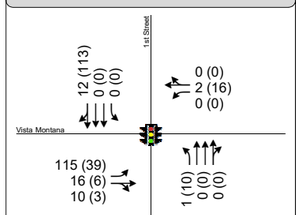
29. 1st Street/WB SR 237 Ramps



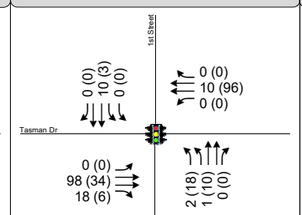
30. 1st Street/EB SR 237 Ramps



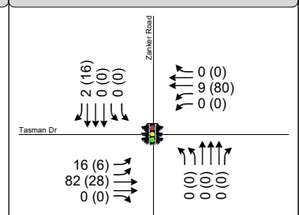
31. 1st Street/Vista Montana



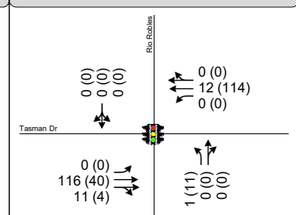
32. 1st Street/Tasman Dr



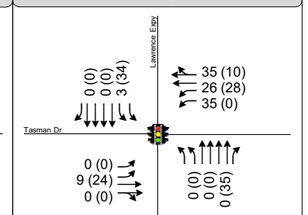
33. Zanker Road/Tasman Dr



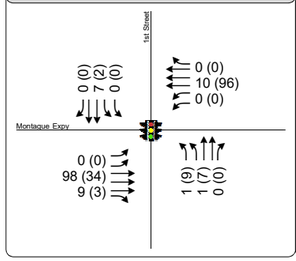
34. Rio Robles/Tasman Dr



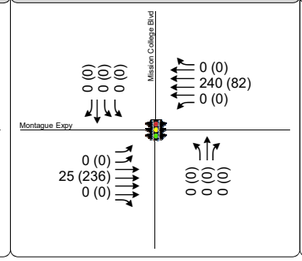
35. Lawrence Expy/Tasman Dr



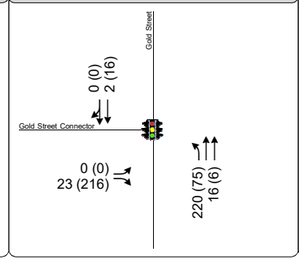
36. 1st Street/Montague Expy



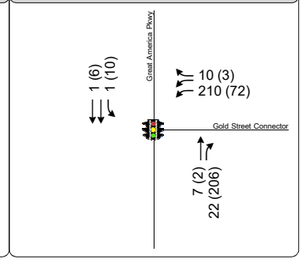
37. Mission College Blvd/Montague Expy



38. Gold Street/Gold Street Connector



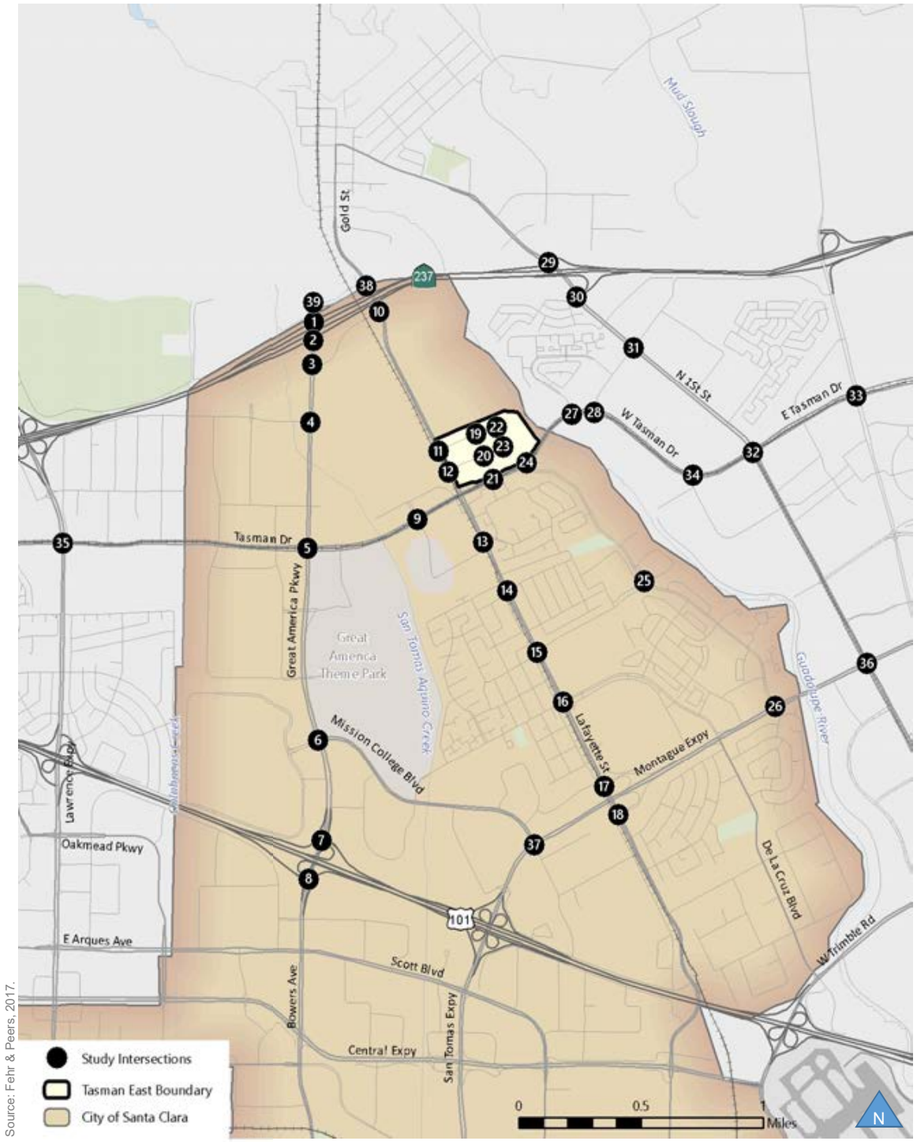
39. Great America Pkwy/Gold Street Connector



LEGEND

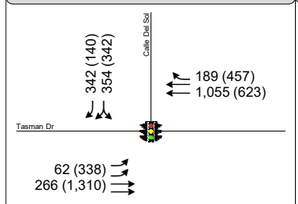
#	Study Intersection
AM (PM)	Peak Hour Traffic Volume
	Lane Configuration
STOP	Stop Sign
	Signalized
	Traffic Circle

Figure 3-5
Project Trip Assignment
Existing Conditions



Source: Fehr & Peers, 2017.

21. Calle Del Sol/Tasman Dr



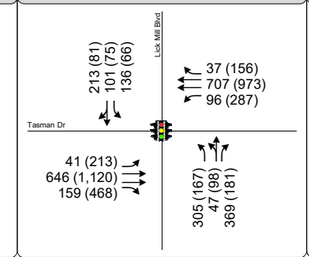
22. Lick Mill Blvd/Calle Del Mundo

Internal Intersection

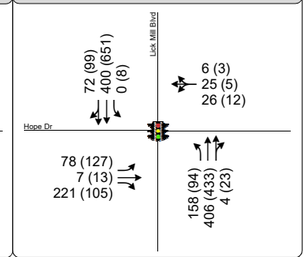
23. Lick Mill Blvd/Calle De Luna

Internal Intersection

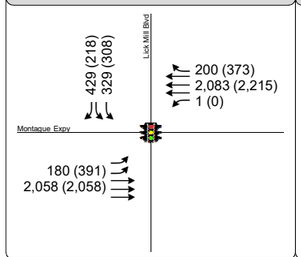
24. Lick Mill Blvd/Tasman Dr



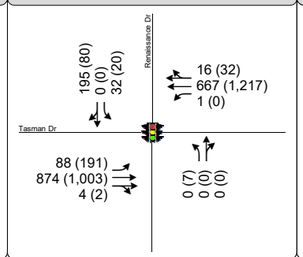
25. Lick Mill Blvd/Hope Dr



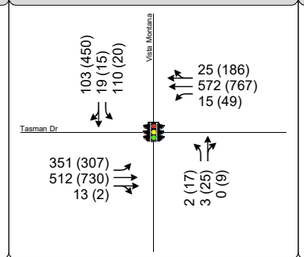
26. Lick Mill Blvd/Montague Expy



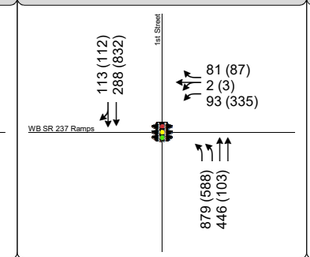
27. Renaissance Dr/Tasman Dr



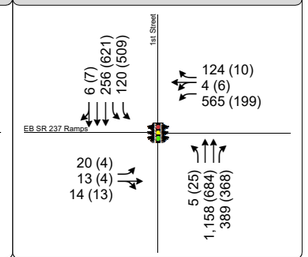
28. Vista Montana/Tasman Dr



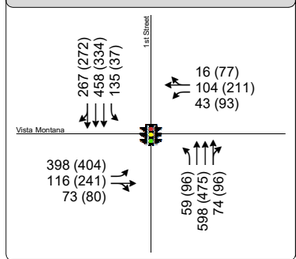
29. 1st Street/WB SR 237 Ramps



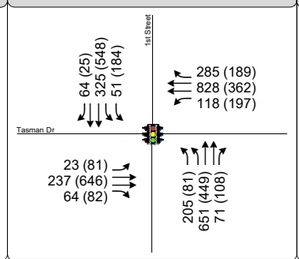
30. 1st Street/EB SR 237 Ramps



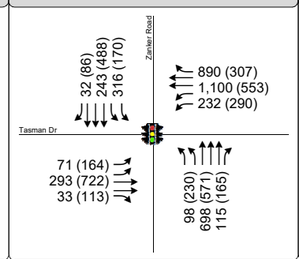
31. 1st Street/Vista Montana



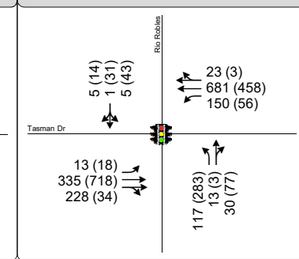
32. 1st Street/Tasman Dr



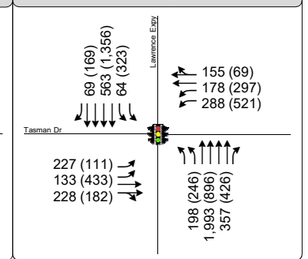
33. Zanker Road/Tasman Dr



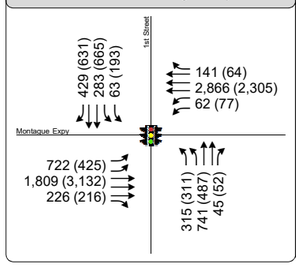
34. Rio Robles/Tasman Dr



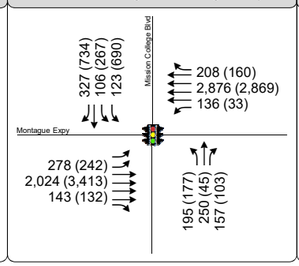
35. Lawrence Expy/Tasman Dr



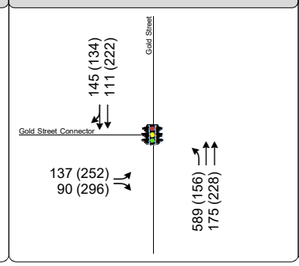
36. 1st Street/Montague Expy



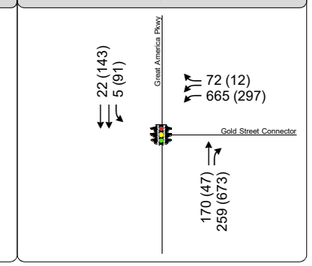
37. Mission College Blvd/Montague Expy



38. Gold Street/Gold Street Connector



39. Great America Pkwy/Gold Street Connector



LEGEND

- (#) Study Intersection
- AM (PM) Peak Hour Traffic Volume
- Lane Configuration
- Stop Sign
- Signalized
- Traffic Circle

Figure 3-6
Peak Hour Traffic Volumes and Lane Configurations
Existing Plus Project Conditions

Appendix G **REVISE** Table 3-5 Existing and Existing Plus Project Intersection Levels of Service as shown below:

#35	Tasman Drive / Lawrence Expressway	Signal	Santa Clara County (CMP)	E	AM PM	39.8 54.7	D D-	40.3 55.36	D E+	0.0013 0.00723	0.41 -0.20.5

Appendix G **REVISE** Table 3-6 Existing Plus Project Intersection Mitigation Measures as shown below:

Table 3-6: Existing Plus Project Intersection Mitigation Measures

ID	Intersection	Jurisdiction	Mitigation Measure	ROW[b] Needed?	Project Responsibility	Peak Hour	Existing Plus Project + Mitigations	
							Delay	LOS
#9	Tasman Drive/Centennial Drive	Santa Clara	No feasible mitigation	N/A	0%	AM PM	N/A N/A	N/A N/A
#10	Lafayette Street / Great America Way	Santa Clara	Signalize	No	0% (City Place Mitigation)	AM PM	11.2 40.4	B+ D
#11	Lafayette Street / Calle Del Mundo	Santa Clara	Signalize	No	100%	AM PM	16.3 12.0	B B
# 37	Montague Expressway / Mission College Boulevard	Santa Clara County	Add 3rd SB LT lane[d]	Possible	% of Total Traffic	AM PM	47.9 71.4	D E

Notes:

a. An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

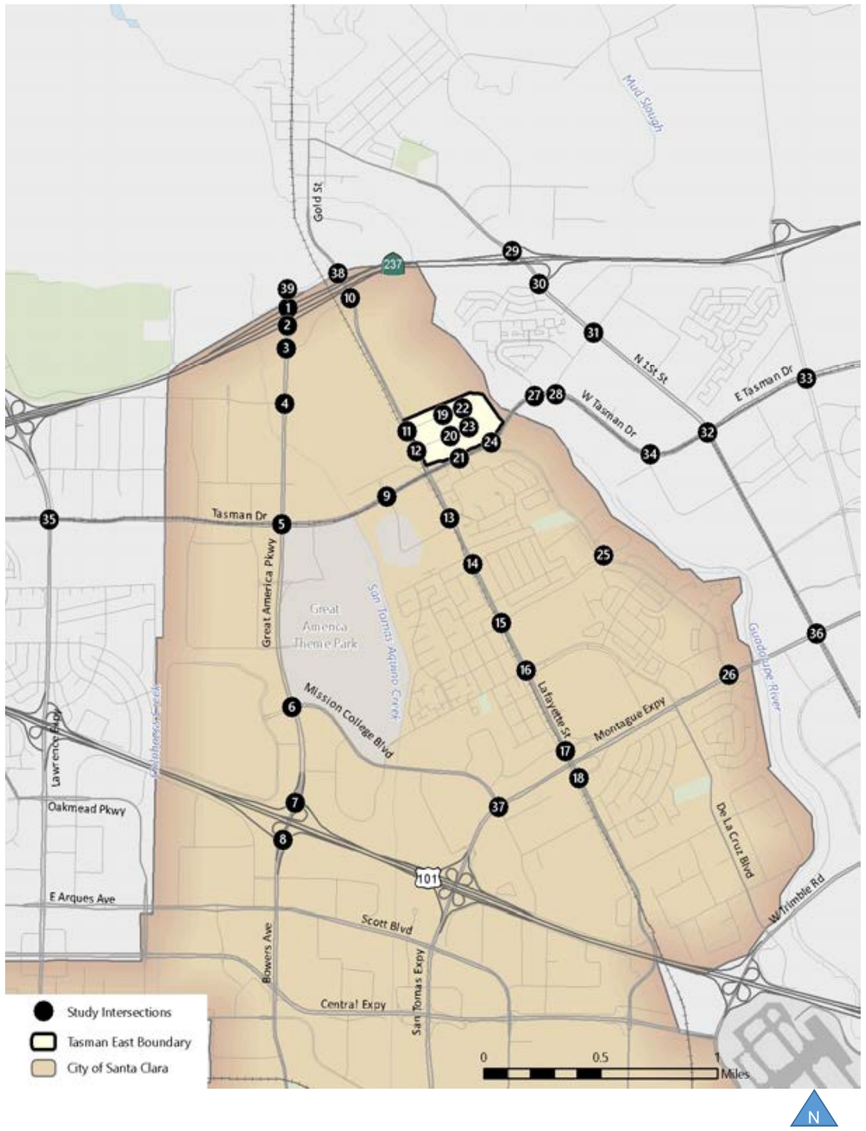
b. ROW = right-of-way. "Yes" = additional right-of-way is required to construct the proposed mitigation measure. This includes relocating existing curbs and gutters. "Possible" = additional right-of-way may be needed to maintain bike lanes or transit facilities, such as bus duck-outs. "No" = the proposed mitigation measure will fit within the existing right-of-way and existing curb-to-curb widths. Curbs and gutters will not need to be relocated, but the median may need to be modified.

c. "100%" = The cost and construction of the proposed mitigation measure is the full responsibility of the Project Developer. These are discrete mitigation measures that either fully or partially mitigate significant Project impacts. "0%" = There is no feasible mitigation measure. "% of Total Traffic" = Project should shall pay a fair-share contribution to the proposed mitigation measure, which is typically a larger transportation improvement, such as an expressway interchange, that has been identified in an adopted plan.

d. An interchange is identified at this intersection as a Tier 2 priority per the Comprehensive County Expressway Planning Study. However, the timing, funding, and implementation of this improvement is controlled by Santa Clara County. The City of Santa Clara cannot guarantee that this improvement will be implemented in a timely manner such that the Project's impact is avoided or mitigated.

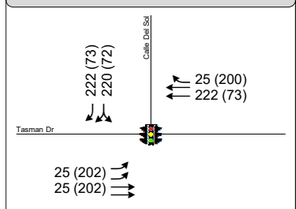
Bold text indicates intersection operates at a deficient LOS.
Bold and highlighted indicates a significant impact (with mitigation).
Source: Fehr & Peers, 2018.

Appendix G **INSERT** Figure 4-2 Background Project Trip Assignment and Figure 4-3 Background Plus Project Intersection Volumes with revised volumes for Intersection #35.



Source: Fehr & Peers, 2018.

21. Calle Del Sol/Tasman Dr



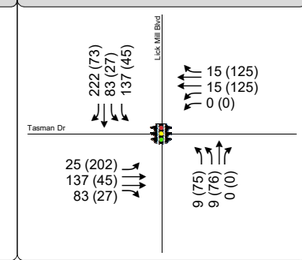
22. Lick Mill Blvd/Calle Del Mundo

Internal Intersection

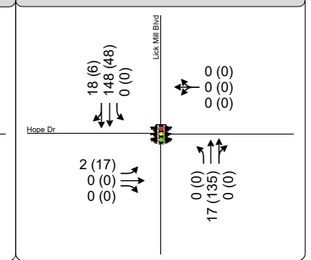
23. Lick Mill Blvd/Calle De Luna

Internal Intersection

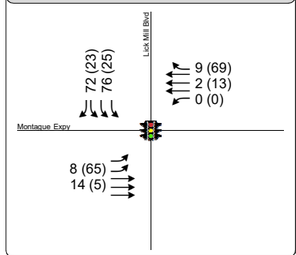
24. Lick Mill Blvd/Tasman Dr



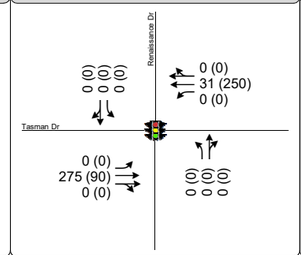
25. Lick Mill Blvd/Hope Dr



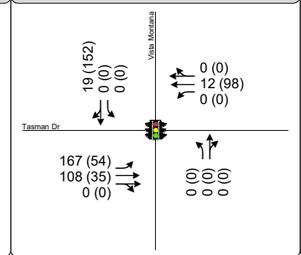
26. Lick Mill Blvd/Montague Expy



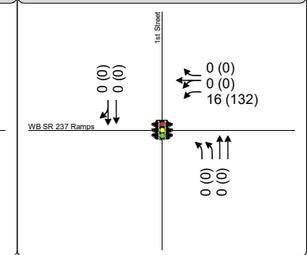
27. Renaissance Dr/Tasman Dr



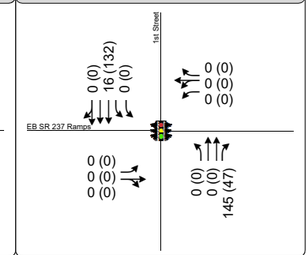
28. Vista Montana/Tasman Dr



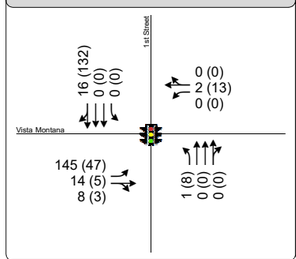
29. 1st Street/WB SR 237 Ramps



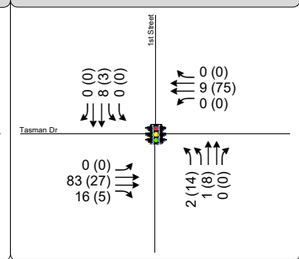
30. 1st Street/EB SR 237 Ramps



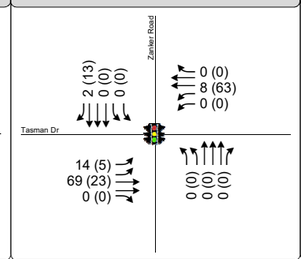
31. 1st Street/Vista Montana



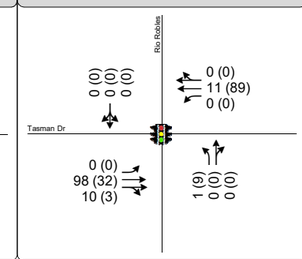
32. 1st Street/Tasman Dr



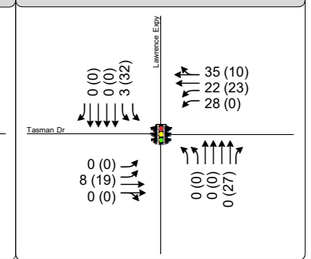
33. Zanker Road/Tasman Dr



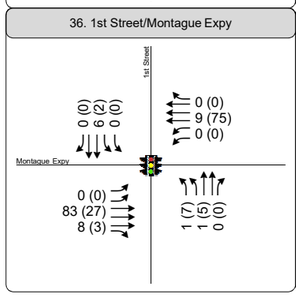
34. Rio Robles/Tasman Dr



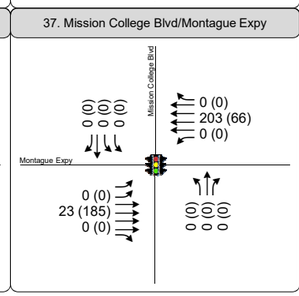
35. Lawrence Expy/Tasman Dr



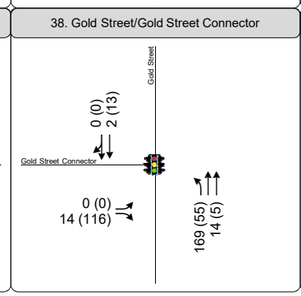
36. 1st Street/Montague Expy



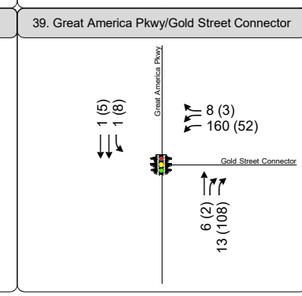
37. Mission College Blvd/Montague Expy



38. Gold Street/Gold Street Connector



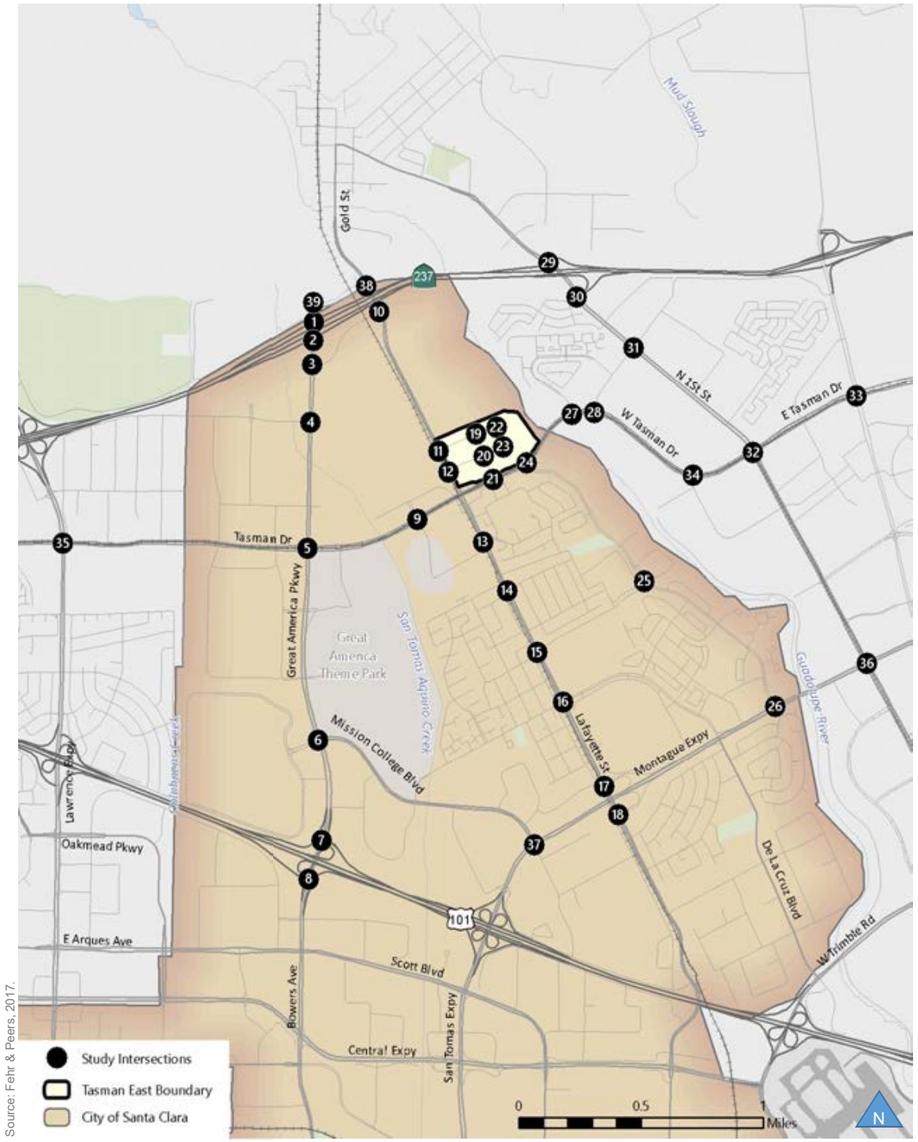
39. Great America Pkwy/Gold Street Connector



LEGEND

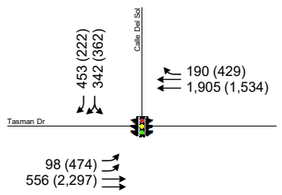
- # — Study Intersection
- AM (PM) — Peak Hour Traffic Volume
- Lane Configuration
- Stop Sign
- Signalized
- Traffic Circle

Figure 4-2
Project Trip Assignment
Background & Cumulative Conditions



Source: Fehr & Peers, 2017.

21. Calle Del Sol/Tasman Dr



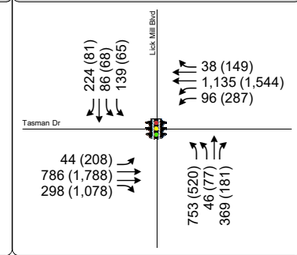
22. Lick Mill Blvd/Calle Del Mundo

Internal Intersection

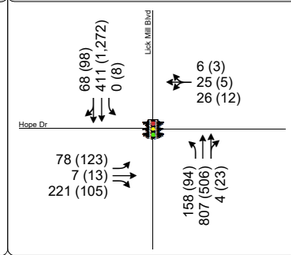
23. Lick Mill Blvd/Calle De Luna

Internal Intersection

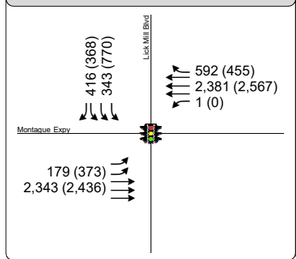
24. Lick Mill Blvd/Tasman Dr



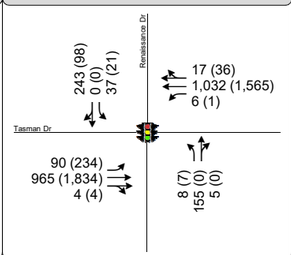
25. Lick Mill Blvd/Hope Dr



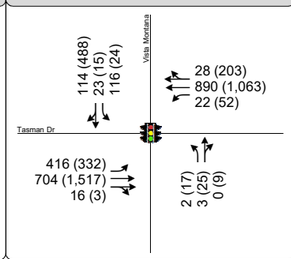
26. Lick Mill Blvd/Montague Expy



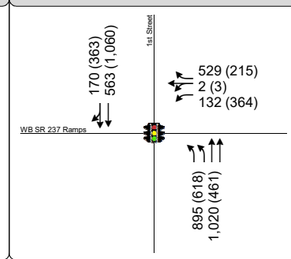
27. Renaissance Dr/Tasman Dr



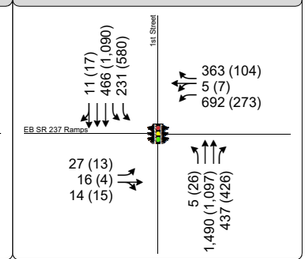
28. Vista Montana/Tasman Dr



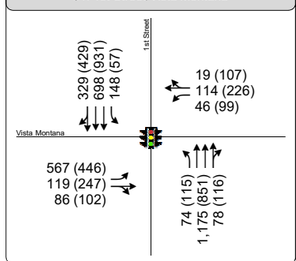
29. 1st Street/WB SR 237 Ramps



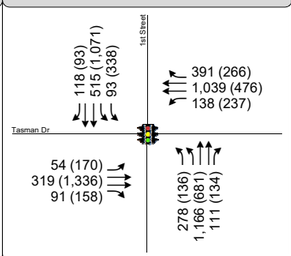
30. 1st Street/EB SR 237 Ramps



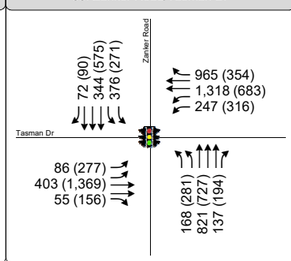
31. 1st Street/Vista Montana



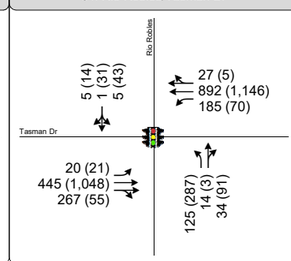
32. 1st Street/Tasman Dr



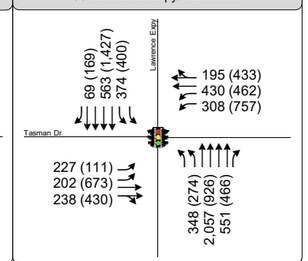
33. Zanker Road/Tasman Dr



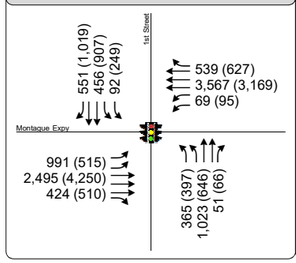
34. Rio Robles/Tasman Dr



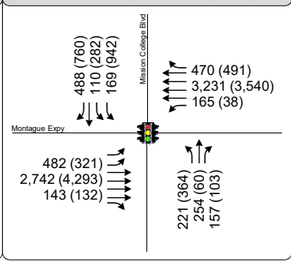
35. Lawrence Expy/Tasman Dr



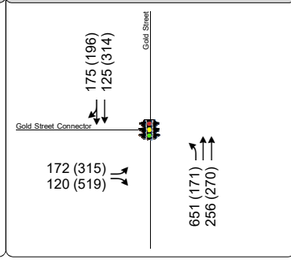
36. 1st Street/Montague Expy



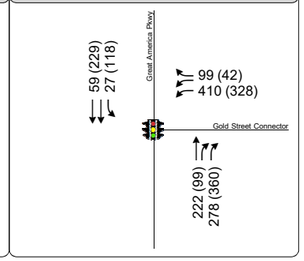
37. Mission College Blvd/Montague Expy



38. Gold Street/Gold Street Connector



39. Great America Pkwy/Gold Street Connector



LEGEND

- (#) Study Intersection
- AM (PM) Peak Hour Traffic Volume
- Lane Configuration
- Stop Sign
- Signalized
- Traffic Circle

Figure 4-3
Peak Hour Traffic Volumes and Lane Configurations
Background Plus Project Conditions

Appendix G **REVISE** Table 4-3 Background Intersection LOS Results as shown below:

#35	Tasman Drive / Lawrence Expressway	Signal	Santa Clara County (CMP)	E	AM PM	60.3 **80.5**	E F	61.15 847.56	E F	0.0183 1 **0.0061** 8	1.62.2 2.27.7

Appendix G **REVISE** Section 4.5 Background Plus Project Intersection Impacts and Mitigation Measures as shown below:

- ~~Intersection #35 Tasman Drive / Lawrence Expressway: The addition of project traffic would exacerbate unacceptable LOS F operations during the PM peak hour.~~

- ~~Intersection #35 Tasman Drive / Lawrence Expressway – The improvements that would be needed to fully mitigate the impact include widening the eastbound approach to support an additional through lane. Right-of-way is not available to accommodate this change so the improvement is deemed infeasible. As a result, this impact is considered significant and unavoidable.~~

Appendix G **REVISE** Table 4-2 Background Plus Project Intersection Mitigation Measures as shown on the following page:

Table 4-2: Background Plus Project Intersection Mitigation Measures

ID	Intersection	Jurisdiction	Mitigation Measure	ROW[b] Needed?	Project Responsibility	Peak Hour	Background Plus Project + Mitigations	
							Delay	LOS
#1	Great America Parkway/WB SR 237 Ramps	San Jose (CMP)	Configure southbound approach to 1 right turn, 1 through-right	No	100%	AM PM	38.2 34.3	D+ C-
#9	Tasman Drive/Centennial Drive	Santa Clara	No feasible mitigation	N/A	0%	AM PM	N/A N/A	N/A N/A
#10	Lafayette Street / Great America Way	Santa Clara	Signalize	No	0% (City Place Mitigation)	AM PM	14.4 35.1	B D+
#11	Lafayette Street / Calle Del Mundo	Santa Clara	Signalize	No	100%	AM PM	15.1 10.5	B B+
~~#35~~	~~Tasman Drive / Lawrence Expressway~~	~~Santa Clara County~~	~~No feasible mitigation~~	~~N/A~~	~~0%~~	~~AM PM~~	~~N/A N/A~~	~~N/A N/A~~
#37	Montague Expressway / Mission College Boulevard	Santa Clara County	~~No feasible mitigation~~Partial: Add 3rd SB LT lane[d]	No~~N/A~~	% of Total Traffic~~0%~~	AM PM	59.8~~N/A~~ 123.0~~N/A~~	E+~~N/A~~ F~~N/A~~

Notes:

a. An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

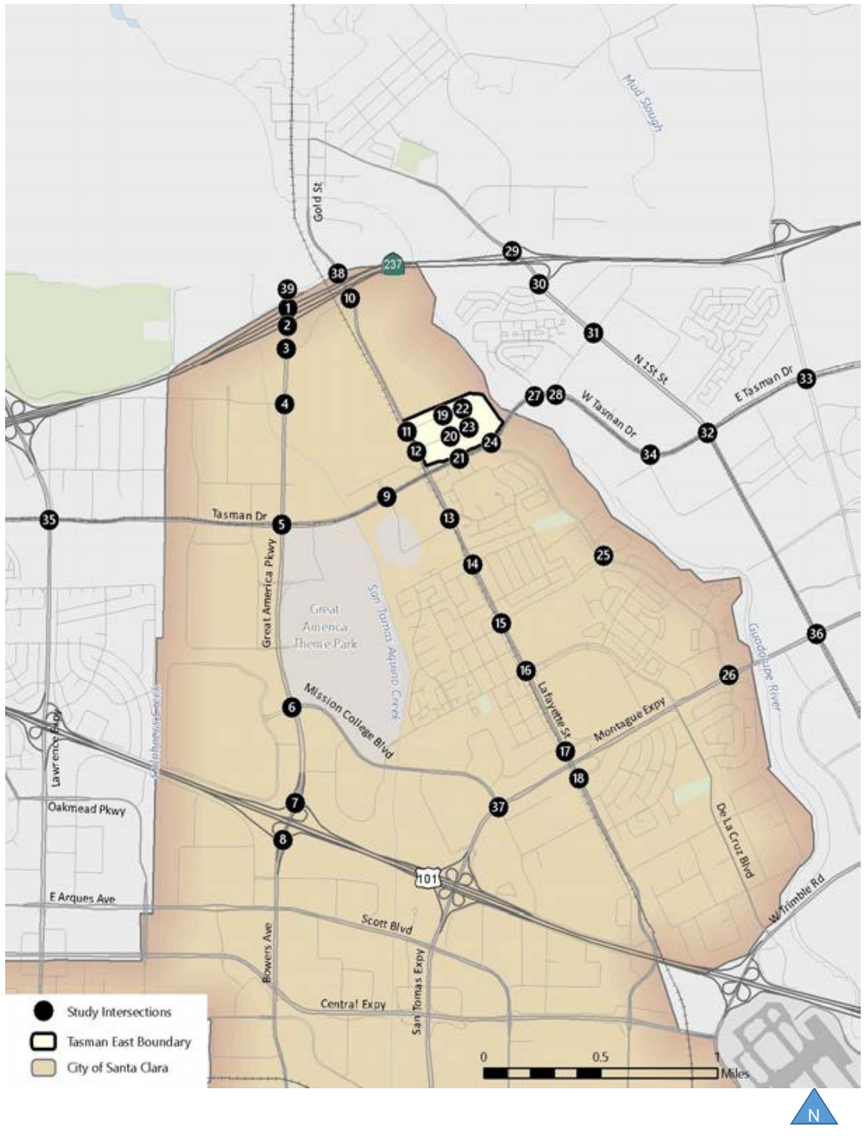
b. ROW = right-of-way. "Yes" = additional right-of-way is required to construct the proposed mitigation measure. This includes relocating existing curbs and gutters. "Possible" = additional right-of-way may be needed to maintain bike lanes or transit facilities, such as bus duck-outs. "No" = the proposed mitigation measure will fit within the existing right-of-way and existing curb-to-curb widths. Curbs and gutters will not need to be relocated, but the median may need to be modified. "N/A" = the proposed mitigation is considered infeasible because it would require new right-of-way or requires approval from other jurisdictions outside the City of Santa Clara; therefore specific ROW needs, delay and LOS for mitigated conditions are not applicable.

c. "100%" = The cost and construction of the proposed mitigation measure is the full responsibility of the Project Developer. These are discrete mitigation measures that either fully or partially mitigate significant Project impacts. "0%" = There is no feasible mitigation measure. "% of Total Traffic" = Project should shall pay a fair-share contribution to the proposed mitigation measure, which is typically a larger transportation improvement, such as an expressway interchange, that has been identified in an adopted plan.

~~c.~~d. An interchange is identified at this intersection as a Tier 2 priority per the Comprehensive County Expressway Planning Study. However, the timing, funding, and implementation of this improvement is controlled by Santa Clara County. The City of Santa Clara cannot guarantee that this improvement will be implemented in a timely manner such that the Project's impact is avoided or mitigated.

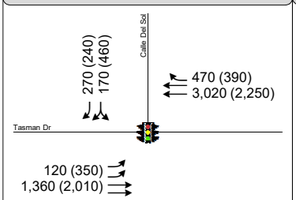
Bold text indicates intersection operates at a deficient LOS.
Bold and highlighted indicates a significant impact (with mitigation).
Source: Fehr & Peers, 2018.

Appendix G **INSERT** Figure 5-2 Cumulative Plus Project Intersection Volumes with revised volumes for Intersection #35.



Source: Fehr & Peers, 2018.

21. Calle Del Sol/Tasman Dr



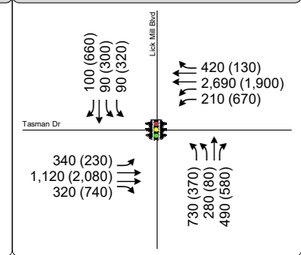
22. Lick Mill Blvd/Calle Del Mundo

Internal Intersection

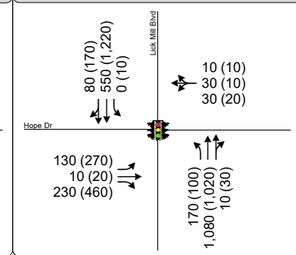
23. Lick Mill Blvd/Calle De Luna

Internal Intersection

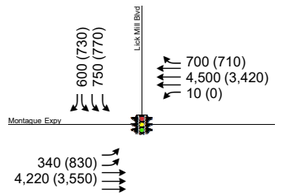
24. Lick Mill Blvd/Tasman Dr



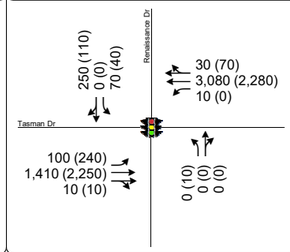
25. Lick Mill Blvd/Hope Dr



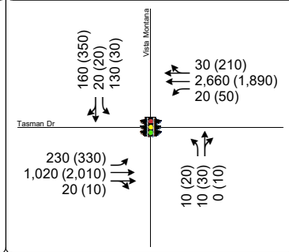
26. Lick Mill Blvd/Montague Expy



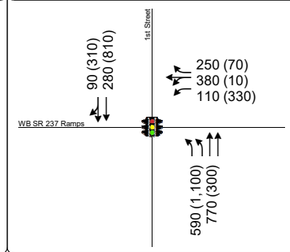
27. Renaissance Dr/Tasman Dr



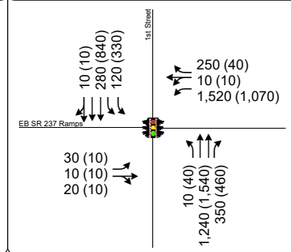
28. Vista Montana/Tasman Dr



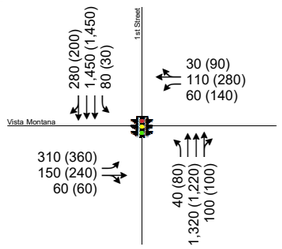
29. 1st Street/WB SR 237 Ramps



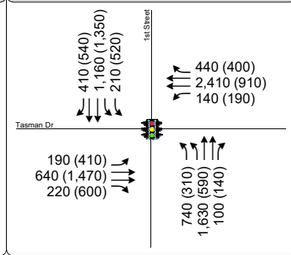
30. 1st Street/EB SR 237 Ramps



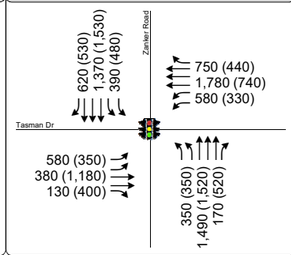
31. 1st Street/Vista Montana



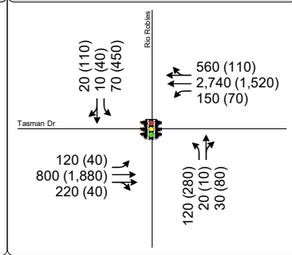
32. 1st Street/Tasman Dr



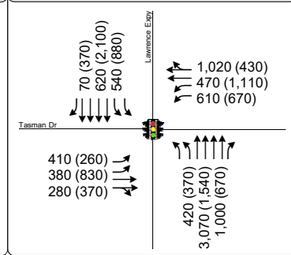
33. Zanker Road/Tasman Dr



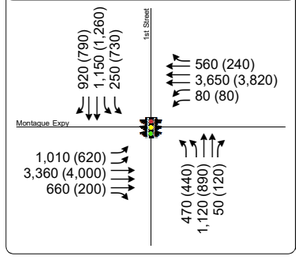
34. Rio Robles/Tasman Dr



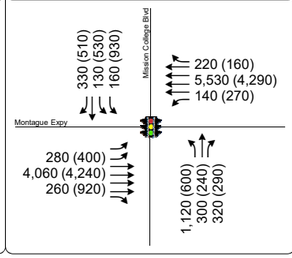
35. Lawrence Expy/Tasman Dr



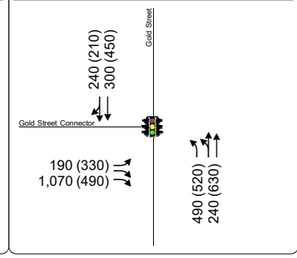
36. 1st Street/Montague Expy



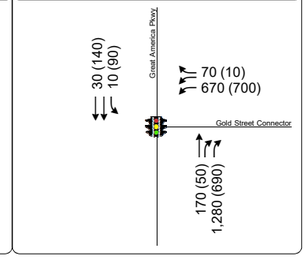
37. Mission College Blvd/Montague Expy



38. Gold Street/Gold Street Connector



39. Great America Pkwy/Gold Street Connector



LEGEND

- (#) Study Intersection
- AM (PM) Peak Hour Traffic Volume
- Lane Configuration
- Stop Sign
- Signalized
- Traffic Circle

Figure 5-2
Peak Hour Traffic Volumes and Lane Configurations
Cumulative Plus Project Conditions

Appendix G *Section 5.3 Cumulative (2040) Intersection Mitigation Measures*; **REVISE** bulleted discussion of Intersection #35 as shown below:

- Intersection #35 Lawrence Expressway / Tasman Drive – Adding a dedicated eastbound right turn lane with an overlap phase would fully mitigate the Project impact. Due right-of-way restrictions, this mitigation would not be feasible. (Additionally, grade-separation for VTA Light Rail at this intersection may improve traffic operations at this intersection. Further technical analysis is necessary to evaluate the feasibility and effectiveness of this measure.) Therefore, the impact is considered significant and unavoidable under Cumulative Plus Project Conditions.

Appendix G **REVISE** Table 5-3 Cumulative Intersection Mitigation Measures as shown below:

#35	Lawrence Expressway/Tasman Drive	Santa Clara County (CMP)	No feasible improvements[d]	N/A	0%[d]	AM PM	N/A	N/A
#36	N. First Street/Montague Expressway	Santa Clara County (CMP)	Partial Improvement: Add 3rd southbound through lane[e]	No	% of Total Traffic	AM PM	**193.8** **>180**	**F** **F**
#37	Mission College Boulevard/Montague Expressway	Santa Clara County (CMP)	~~No feasible improvements~~Partial: Add 3rd SB LT lane[f]	No~~/A~~	~~0~~% of Total Traffic	AM PM	**>180** **>180**~~N/A~~	**F** **F**~~N/A~~

Notes:

a. An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

b. ROW = right-of-way. "Yes" = additional right-of-way is required to construct the proposed mitigation measure. This includes relocating existing curbs and gutters. "Possible" = additional right-of-way may be needed to maintain bike lanes or transit facilities, such as bus duck-outs. "No" = the proposed mitigation measure will fit within the existing right-of-way and existing curb-to-curb widths. Curbs and gutters will not need to be relocated, but the median may need to be modified. "N/A" = the proposed mitigation is considered infeasible because it would require new right-of-way or requires approval from other jurisdictions outside the City of Santa Clara; therefore specific ROW needs, delay and LOS for mitigated conditions are not applicable.

c. "100%" = The cost and construction of the proposed mitigation measure is the full responsibility of the Project Developer. These are discrete mitigation measures that either fully or partially mitigate significant Project impacts. "0%" = There is no feasible mitigation measure. "% of Total Traffic" = Project Developer shall pay a fair-share contribution to the proposed mitigation measure, which is typically a larger transportation improvement, such as an expressway interchange, that has been identified in an adopted plan.

d. Grade-separation for VTA Light Rail at this intersection may improve traffic operations at this intersection. However, further technical analysis is necessary to evaluate the feasibility and effectiveness of this measure. If this potential mitigation measure is implemented, the Project Developer shall pay a fair-share contribution to the proposed mitigation measure based on % of Total Traffic.

e. This intersection is identified as a location for future grade separation for LRT as part of the Comprehensive County Expressway Planning Study 2008 Update. (Grade separation may reduce delay and improve LOS; however, further analysis should be conducted to determine to what extent delays may be reduced.) The City of Santa Clara cannot guarantee that intersection improvements will be implemented in a timely manner such that the Project's impact is avoided or mitigated.

~~e~~f. An interchange is identified at this intersection as a Tier 2 priority per the Comprehensive County Expressway Planning Study. However, the timing, funding, and implementation of this improvement is controlled by Santa Clara County. The City of Santa Clara cannot guarantee that this improvement will be implemented in a timely manner such that the Project's impact is avoided or mitigated.

Bold text indicates intersection operates at a deficient LOS.
Bold and highlighted indicates a significant impact (with mitigation).
Source: Fehr & Peers, 2018.

Appendix G **INSERT** revised Approved Land Use Projects tables to Appendix E.

Appendix E. Approved, Not Occupied, and Pending Projects

1. Summary

Approved, not occupied, and pending projects for the Project reference those used for the City Place EIR (2014). The City Place EIR approved, not occupied, and pending project list, provided by the City of Santa Clara in 2014, was compared to the existing approved, not occupied, and pending project list. Consultation with City staff was also considered.

Table E-1 outlines the approved land use projects considered for Background and Background Plus Project Conditions in the City of Santa Clara. **Table E-2** outlines the approved land use projects considered for Background and Background Plus Project Conditions in the City of San José from the City's Approved Trip Index. **Table E-3** outlines the approved land use projects considered for Background and Background Plus Project Conditions in the City of Sunnyvale.

Volumes for Cumulative and Cumulative Plus Project Conditions were derived from the Cumulative Plus Project volumes in the City Place EIR. Pending projects were not identified in the City Place EIR, as volumes were forecasted from the VTA traffic model, which contains citywide development and roadway improvements expected to occur by 2040. Pages 3.3-184 to 3.3-185 in the City Place EIR discuss the methods used to develop Cumulative forecasts.

E-1: SANTA CLARA APPROVED LAND USE PROJECTS

ID#	Project Title/Project Applicant	Location	Description
1	Mission College Boulevard Office/Retail	2350 Mission College Boulevard	• 300,000 s.f. office and 6,000 s.f. retail with a six-story parking garage replacing 235,523 s.f. industrial
2	Sobrato Office Development	4301, 4401, 4551 Great America Parkway	• 600,000 s.f. office
3	Yahoo!	5010 Old Ironsides Drive	• 3,060,000 s.f. office and research and development campus with 13 six-story buildings, three commons buildings, surface parking and two levels of below grade parking
4	Lawson Lane	2200 Lawson Lane	• 613,800 sf of office use
5	Office Building	3000 Bowers Avenue	• 200,000 s.f. office
6	Brad Krouskup	4880 Great America Parkway	• 100,000 s.f. office
7	U-Haul and Self Storage	2121 Laurelwood Road	• 217,000 s.f. office, 4,000 s.f. retail, 9,300 s.f. amenity building replacing 100,000 s.f. warehouse

E-1: SANTA CLARA APPROVED LAND USE PROJECTS			
ID#	**Project Title/Project Applicant**	**Location**	**Description**
8	Irvine	2600 Augustine	• 1,840 dus and 40,000 s.f. retail
9	Menlo Equities	3535 Garrett Drive	• 150,000 s.f. office
10	City Place (City Center - Parcels 4a and 5)	5155 and 5120 Stars and Stripes	• 1,738,000 s.f. office • 578 hotel rooms • 200 apartments • 1,082,000 s.f. retail • 195,000 s.f. restaurant • 35,000 s.f. grocery store • 190,000 s.f. entertainment
11	Courtney Bauer	3226 Scott Boulevard	• 230,500 s.f. office replacing 35,000 s.f. industrial
12	Washington Holdings	2041 Mission College Boulevard	• 175-room hotel and 25,000 s.f. retail replacing 93,000 s.f industrial
13	Cedar Fair	1/4701 Great America Parkway	• 140,000 s.f. retail
14	John Duquette	3375 Scott Boulevard	• 237,000 s.f. office
15	SummerHill Homes	3505 and 3485 Kifer Road et al	• 41 sfdu, 955 mfdu, and 37,000 s.f. retail

Source: City of Santa Clara, 2018

E-2: SAN JOSÉ APPROVED LAND USE PROJECTS		
Permit No.	**Description**	**Location**
C15-054	237 Industrial Center/Cilker	1657 Alviso-Milpitas Road
H03-039	eBay (2 of 2 Entries)	Guadalupe & O'Neil
H14-011	Homewood Suites Hotel	Northwest Corner of SR 237 and N. First Street
H83-01-001	Ultratech Stepper	Junction Avenue north of Plumeria
H89-01-008	OFC 88, 433; IND 88433, WHSE	Tasman & Zanker
H96-08-064 SH	eBay (1 of 2 Entries)	First Street & Guadalupe
NSJ	North San José	North San José
PD13-012	South Bay	Northwest Corner of SR237 and N. First Street
PD 13-039	Trammel Crow (R&D)	Northwest Corner of Nortech Parkway and Disk Drive
PD14-007	Trammel Crow (Mfg.)	Northwest Corner of Nortech Parkway and Disk Drive
PDC04-002	BEA Systems	First Street, both sides of Component Drive
PDC15-016	Marriott Residence Inn	Gold Street
PDC16-013	Top Golf	North First Street between Gold Street and SR 237
PDC97-01-002	Lincoln Property	Both sides of Gold Street north of SR 237
PDC99-05-044	Legacy Terrace Development	Gold Street and SR 237

Source: City of San José, 2018.

E-3: SUNNYVALE APPROVED LAND USE PROJECTS		
Permit No.	**Address**	**Proposed Land Use**
2015-7762	1080 Stewart Drive	• 375-room Hotel
2014-7488	1101 Elko Drive	• 51-room Hotel
2015-7459	1235 Bordeaux Drive	• 200-room Hotel • 150-room Hotel
2014-8019	750 Lakeway Drive	• 311-room Hotel
2016-7212	1050 Kifer Road	• 755,144 square-foot Office/R&D
2002-0223	1081 Innovation Way	• 2,430,000 square-foot Office/R&D
2015-7275	1111 Lockheed Martin Way	• 1,651,795 square-foot Office • Parking structures • Amenity building
2012-7854	1152 Bordeaux Drive	• 1,779,554 square-foot Office/R&D
2013-7353	1221 Crossman Avenue	• 541,214 square-foot Office/R&D
2011-7758	495 East Java Drive	• 326,997 square-foot Office
2011-7760	549 Baltic Way	• 483,326 square-foot Office
2011-7495	589 West Java	• 339,000 square-foot Office
2015-7576	1250 Lakeside Drive	• 263-room Hotel • 3,000 square-foot Restaurant • 250 Apartments

Source: City of Sunnyvale, 2017.

Appendix A: Draft EIR Comment Letters

PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

August 10, 2018

John Davidson
City of Santa Clara
1500 Warburton Ave
Santa Clara, CA 95050

Re: SCH 2016122027–Tasman East Specific Plan–*Draft Environmental Impact Report*

Dear Mr. Davidson:

The California Public Utilities Commission (Commission/CPUC) has jurisdiction over rail crossings (crossings) in California. CPUC ensures that crossings are safely designed, constructed, and maintained. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the *Draft Environmental Impact Report* (DEIR) for the proposed Tasman East Specific Plan. City of Santa Clara (City) is the lead agency.

The City proposes to develop an existing industrial neighborhood 45 acres in size into a high-density transit-oriented neighborhood. The project would provide greater pedestrian and bicycle access to the adjacent Valley Transit Authority (VTA) Lick Mill Station through the traffic light controlled Calle del Sol crossing (CPUC No. 082B-5.58). The project also borders the Capitol Corridor Great America Station, with a flasher controlled pedestrian crossing (CPUC No. 001L-40.60-D).

Any development adjacent to or near the railroad or light rail transit right-of-way (ROW) should be planned with the safety of the rail corridor in mind. New developments may increase pedestrian or vehicular traffic volumes not only on streets and at intersections, but also at nearby rail crossings. Traffic impact studies should analyze rail crossing safety and potential mitigation measures. Safety improvement measures may include the planning for grade separations or improvements to existing at-grade crossings. Examples of improvements may include, but are not limited to: addition or upgrade of crossing warning devices, detectable warning surfaces and edge lines on sidewalks, and pedestrian channelization. Pedestrian and bicycle routes should be designed to clearly prohibit and discourage unauthorized access (trespassing) onto the tracks, except at authorized crossings.

In addition, modifications to existing public crossings require authorization from the Commission. RCEB representatives are available for consultation on any potential safety impacts or concerns at crossings. Please continue to keep RCEB informed of the project's development. More information can be found at: http://www.cpuc.ca.gov/crossings.

If you have any questions, please contact Matt Cervantes at (213) 266-4716, or mci@cpuc.ca.gov.

Sincerely,

Matt Cervantes
Utilities Engineer
Rail Crossings Engineering Branch
Safety and Enforcement Division

CC: State Clearinghouse, state.clearinghouse@opr.ca.gov

From: Greene, Cary
Sent: Wednesday, August 15, 2018 10:26 AM
To: John Davidson (Santa Clara Planning) (jdavidson@santaclaraca.gov) <jdavidson@santaclaraca.gov>
Cc: Amelia Morgia (Santa Clara Planning) (amorgia@santaclaraca.gov) <amorgia@santaclaraca.gov>; Sheelen, Ryan <rsheelen@sjc.org>
Subject: Draft EIR for Tasman East Specific Plan

Thank you for notifying the City of San Jose Airport Department of the completion the subject DEIR. The Airport has reviewed the aviation-related information and impact analysis presented in the document, including the Hazards and Hazardous Materials, Land Use and Planning, Noise and Vibration, and Transportation/Traffic sections, and considers it sufficiently complete and accurate. We therefore have no specific concerns or suggested revisions for the document.

Feel free to contact either myself or Ryan Sheelen in my office to discuss any comments raised by other reviewers regarding aviation-related topics, and please continue to include the San Jose Airport Department on notices or distribution of DEIR amendment or Final EIR documents for the project.

Cary Greene
Airport Planner, City of San Jose Airport Department
408-392-3623
cgreene@sjc.org

County of Santa Clara

Department of Environmental Health

1555 Berger Drive, Suite 300
San Jose, CA 95112-2716
(408)918-3400 FAX (408)298-6261
www.EHinfo.org

August 28, 2018

John Davidson, Principal Planner
City of Santa Clara Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050
jdavidson@santaclaraca.gov

RE: Public Comment - Environmental Impact Report for the Tasman East Specific Plan Project, SCH# 2016122027, File Numbers: CEQ2016-01026, PLN2016-12400

Dear Mr. Davidson,

Thank you for the opportunity to comment on the Tasman East Specific Plan Project - Environmental Impact Report (EIR). The County of Santa Clara Department of Environmental Health is designated as a Local Enforcement Agency (LEA) by the California Department of Resources Recycling and Recovery (CalRecycle) and works with CalRecycle to carry out regulatory oversight of solid waste handling and disposal sites at the local level. As a Responsible Agency, the LEA would like to provide the following comments to the EIR.

Project Description:

The proposed project involves the development of a high-density transit-oriented neighborhood with supportive retail services. The project Specific Plan would allow the development of up to 4,500 dwelling units and up to 106,000 square feet of retail space including the potential for a grocery store.

Comment:

As indicated in the Draft EIR the former Santa Clara All Purpose Landfill owned by the City of Santa Clara is directly adjacent to the Tasman East Specific Plan Project (TESP). With the proximity of the TESP project (to All Purpose LF), the LEA concurs with the recommendation by Cornerstone Earth Group based on the results of the Screening Level Phase I Environmental Site Assessment (Appendix I). The identified potential impacts to the project site from landfill gas migration and vapor intrusion must be further evaluated by a Phase II Environmental Site Assessment and redevelopment activities should be coordinated with the LEA. If investigative results require site mitigation measures from landfill gas (methane) and vapor intrusion, the Project Proponent should consider the mitigation measures described in the California Code of Regulations Title 27 Section 21190(c), in conjunction with a proposed vapor intrusion plan.

Board of Supervisors: Cindy Chavez, Mike Wasserman, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

Thank you for the opportunity to review and comment on this EIR. Should you have any questions or concerns, please feel free to contact Roel Meregillano, Senior R.E.H.S. (408) 918-1962, roel.meregillano@cep.sccgov.org or Sally Lee, Senior R.E.H.S. (408) 918-2925, sally.lee@cep.sccgov.org.

Sincerely,

Paul B. T

Paul Tavares, R.E.H.S.
Program Manager
County of Santa Clara
Department of Environmental Health
Solid Waste Programs

SAN JOAQUIN REGIONAL RAIL COMMISSION

Chair, **Steve Dresser**, City of Lathrop
Vice Chair, **Christina Fugazi**, City of Stockton
Commissioner, **Bob Johnson**, City of Lodi
Commissioner, **Debby Moorhead**, City of Manteca
Commissioner, **Bob Elliot**, San Joaquin County
Commissioner, **Leo Zuber**, City of Ripon
Commissioner, **Scott Haggerty**, Alameda County
Commissioner, **John Marchand**, City of Livermore

Executive Director, **Stacey Mortensen**

September 10, 2018

ATTN: John Davidson, Principal Planner
City of Santa Clara, Planning Division
1500 Warburton Ave
Santa Clara, CA 95050

Re: Tasman East Specific Plan DEIR; File CEQ2016-01026, PLN2016-12400

Dear Mr. Davidson:

Thank you for the opportunity to comment on the Tasman East Specific Plan Draft Environmental Impact Report (DEIR). We are fully supportive of policies and projects that will transform the area adjacent to Santa Clara - Great America Station (Great America Station) into a regional, transit-oriented destination, anchored by a welcoming, world-class multimodal transportation hub. We concur with specific policies expressed in the City of Santa Clara General Plan that direct future development within the Tasman East Focus Area to:

- Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority (VTA), Amtrak, and Altamont Corridor Express stations (ACE) and transit stops to promote transit use for access to services and jobs *(5.4.6-P2)*
- Work with appropriate transportation agencies, businesses, and surrounding cities to maximize rail and bus transit to and from the stations *(5.4.6-P3)*
- Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings *(5.4.6-P4)*
- Provide for future connections, which encourages walking and bicycling, to the new development in the north when it is redeveloped to promote accessibility between the two areas *(5.4.6-P7)*
- Emphasize walkability and access to transit and existing roadways in Future Focus Area comprehensive plans *(5.4.6-P9)*
- Provide access across expressways or major arterial streets so that new residential development in Future Focus Areas has adequate access to neighborhood retail, services and public facilities *(5.4.6-P10)*

We appreciate the effort put into the DEIR traffic operations analysis, but find the section missing critical information that would allow the San Joaquin Regional Rail Commission to fully assess the impact of future development on our ridership, specifically the impact of additional intersection and freeway delay on our jointly-

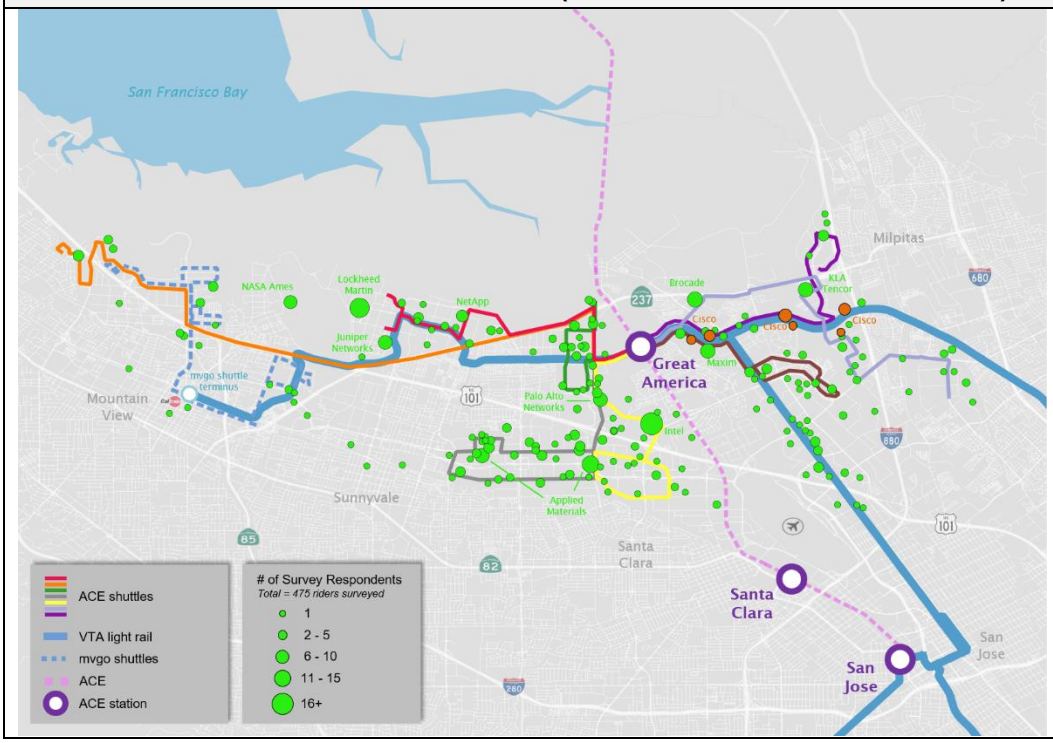
operated VTA/ACE first-and-last mile shuttle network, which operates out of Great America Station (**EXHIBIT 1**).

The VTA/ACE shuttles are the most heavily-used local public transit service in the area, accounting for roughly 1,240 boardings each weekday, or 82% of total transit boardings from the proposed Tasman East Specific Plan area (**EXHIBIT 2**). Riders include customers transferring from regional ACE and Capitol Corridor trains, as well as local residents.

EXHIBIT 1: EXISTING TRANSIT RIDERSHIP, BY ROUTE[1]

Service	Stop	Average Weekday Boardings	% of Total
VTA Route 140	Tasman @ Calle del Sol	0	0%
VTA Route 330	Tasman @ Calle del Sol	1	0%
VTA Route 902	Lick Mill Station	276	18%
VTA/ACE Shuttles	Great America Station	1,240 (AM)	82%
Total		***1,517***	***100%***

EXHIBIT 2: EXISTING VTA/ACE SHUTTLE NETWORK (RIDERSHIP DESTINATIONS HIGHLIGHTED)[2]



Given their significance, it is notable that the VTA/ACE shuttles are not mentioned in the main body of the DEIR, or comprehensively analyzed in the full Transportation Impact Analysis Report (Appendix G of the DEIR).

[1] Sources: VTA/ACE Shuttle Boardings: Tasman East Specific Plan Transportation Impact Analysis (June 2018); Other Routes: VTA Ridecheck Plus Reports (August 2018)
[2] Source: 2017 ACE Shuttle Ridership Survey

We believe that future development within the Tasman East Specific Plan area may potentially impact VTA/ACE shuttle service, and our customers, in the following two ways:

- **Increased Travel Time Delay**: The traffic operations analysis disclosed significant impacts at four study intersections and five freeway segments due to additional project-generated trips. The VTA/ACE shuttle routes traverse three of the four impacted intersections, and all five impacted freeway segments, and yet no travel time impacts to transit were disclosed in the DEIR.
- **Additional Project Ridership:** The full Transportation Impact Analysis report (Appendix G of the DEIR) makes two questionable assumptions: (1) that additional transit riders generated by the project would typically use regional rail at Great America Station, or local light rail service at VTA's Lick Mill station; and (2) that "VTA bus transit service within the immediate study area operates below capacity, and additional trips generated by the proposed Project could be accommodated by existing bus service." We believe that most additional transit riders generated by the project would actually use the existing VTA/ACE shuttle network, which would connect them major employment centers throughout Silicon Valley faster, and more directly than the ACE train, Capitol Corridor, or VTA light rail; as currently operated, the VTA/ACE shuttles do not exclude non-ACE riders. Furthermore, a few of the VTA/ACE shuttles are currently operating at or near capacity, and additional ridership from new developments would result in over-capacity, potentially displacing existing riders.

We respectfully request that the City of Santa Clara conduct additional analysis of these potential impact. If significant impacts are found, we urge staff to consider possible mitigation measures that take advantage of economies of scale, and build on the success of the VTA/ACE shuttle program. Some examples include increasing the span and frequency of existing VTA/ACE shuttle service, adding additional routes, and investing in larger vehicles. These investments could be more effective at encouraging mode-shift than investments in conventional, corridor-based mass transit, given the dispersed pattern of employment that dominates north Santa Clara county.

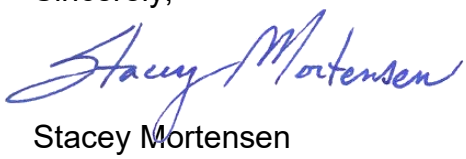
Rather than reinvent the wheel, we urge staff to consider mitigation measures that will help grow the public transit ridership that is already there, rather than investing in entirely new and untested services, like the proposed peak-hour shuttle to Lawrence Caltrain.

The City of Santa Clara envisions north Santa Clara county as a new jobs-rich center that will draw workers from across the region, in particular from communities to the east—eastern Alameda county, San Joaquin County, and the Central Valley—which ACE currently serves. We encourage staff to envision ACE as a "Caltrain of the East," serving a regional transit hub for north Santa Clara county centered at Great America Station, and to ensure that this vision is implemented concurrently with future land-use developments. Great America Station is the logical regional hub for north county, not

Diridon Station located 6 miles away, nor a future BART station located 4 miles away in Milpitas. Land use and transportation must work together if we hope to meaningfully reduce the environmental impacts of future development.

If you or any member of your staff would like to discuss any of these items further, please contact Corinne Winter, ACE outreach lead in Santa Clara County, at corinne@winter.associates.

Sincerely,



Stacey Mortensen
Executive Director

clear
9/12/18
E

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

September 10, 2018

Sent via electronic mail: No hardcopy to follow

Governor's Office of Planning & Research

SEP 10 2018

STATE CLEARINGHOUSE

City of Santa Clara
ATTN: John Davidson, Principal Planner (jdavidson@santaclaraca.gov)]]
1500 Warburton Avenue
Santa Clara, CA 94566

Subject: San Francisco Bay Regional Water Quality Control Board Comments on the Draft Environmental Impact Report for the Tasman East Specific Plan, City of Santa Clara, Santa Clara County, California
SCH No. 2016122027

Dear Mr. Davidson:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Draft Environmental Impact Report for the Tasman East Specific Plan* (Draft EIR). The Draft EIR evaluates the potential environmental impacts associated with implementing the Tasman East Specific Plan (Project), which consists of the development of a high-density, transit-oriented neighborhood with supportive retail services. The City would amend the General Plan classification for the Plan Area to *Transit Neighborhood (80-350 DU/AC)*, which would allow residential and supportive commercial and public/quasi-public uses and rezone the Plan Area to *Transit Neighborhood* to allow for development of a high density residential neighborhood with a mix of uses at the ground floor. The Specific Plan would allow construction of up to 4,500 dwelling units and up to 106,000 square feet of retail space. The Plan area is currently zoned for light industrial land use, which allows for uses such as manufacturing, processing, repairing, and storing products.

Summary

We encourage the City of Santa Clara to revise the proposed Project to avoid culverting the Eastside Drainage Swale, which provides regionally significant aquatic habitat. If the City continues to pursue a Project layout that includes filling of the channel, we note in this letter that the Draft EIR does not provide an adequate discussion of potential mitigation measures for Project impacts to the channel. In addition, it is not clear at this time if a Clean Water Act Section 404(1)(b) alternatives analysis would conclude that the culverting of the Eastside Drainage Swale can be permitted by the Water Board. Finally, the discussion of potential impacts from hazardous materials does not acknowledge the ways in which the Project's proximity to a landfill may place restrictions on development within the Project area.

Comment 1. A locally significant aquatic resource, the Eastside Drainage Swale, is present on the east side of the Project area.

The Eastside Drainage Swale in the Plan area carries flows to the Eastside Retention Basin approximately 0.5 mile northwest of the Plan area, where the water is pumped into the Guadalupe River. The Tasman East Focus Area Plan includes the possible culverting of the Eastside Drainage Swale within the Plan area

Appendix C of the DEIR consists of the *Tasman East Focus Area Plan Biological Resources Report* (H. T. Harvey & Associates, July 26, 2018). Section 6.2.2 of the *Biological Resources Report* includes a good description of the Eastside Drainage Swale.

> Implementation of the Plan may result in the permanent loss of up to 0.39 acre and 810 linear feet of perennial freshwater wetlands within the active channel of the Eastside Drainage Swale if these wetlands are filled or culverted. These wetlands may be subject to regulatory jurisdiction of the USACE, RWQCB, and/or CDFW. Regardless of whether these wetlands are determined to be jurisdictional, they serve a variety of important functions, such as sediment stabilization, sediment/toxicant retention, nutrient removal/transformation, and aquatic and terrestrial wildlife species habitat. The wetland habitat within the Eastside Drainage Swale has some ecological value within the urban matrix of the Plan area and its vicinity. Even though the acreage of impacts to wetlands (0.39 acre) is relatively small, wetlands are relatively scarce regionally, and even small wetland areas have disproportionate contributions to water quality, groundwater recharge, watershed function, and wildlife habitat in the region. This habitat also provides valuable refuge and foraging resources for wildlife species that typically occur in the more extensive wetland habitat in the adjacent Guadalupe River during winter flooding events, when wetland habitat in the river is inundated. For all these reasons, permanent impacts on vegetated wetlands in the Plan area would be considered significant under CEQA.

Riparian habitat associated with the Eastside Drainage Swale is described in Section 6.2.3 of the *Biological Resources Report.*

> The Plan has the potential to impact 0.05 acre of mixed riparian woodland associated with the eastern drainage swale. This woodland may be destroyed due to tree removal and replacement with developed structures, and grading or paving over the root zone of riparian trees will impair the health of riparian trees, possibly to the point of causing tree death. Although this riparian vegetation is not particularly high-quality habitat due to its narrow, sparse nature, it is dominated by native riparian species such as blue elderberry and Fremont cottonwood, and due to its proximity to the drainage swale, the Guadalupe River, and the Ulistac Natural Area, this riparian vegetation provides important resources that are used by migratory birds and other wildlife. Owing to the functions and values of this riparian habitat, the importance of woody riparian habitat to birds in the South Bay, and the regional scarcity of riparian habitat due to historical losses of these woodlands, the impact to 0.05 acre of mixed riparian woodland would be considered significant.

Water Board staff concur with the assessment of the habitat value of the Eastern Drainage Swale and its associated riparian habitat. However, we disagree with the assertion that the fill of 0.39

acres of wetlands is a relatively small impact. In the current South Bay area, this is a fairly large impact to remaining habitat. As is discussed in detail in the following comment, we are also concerned that the Draft EIR underestimates the difficulty of providing adequate mitigation for such an impact to waters of the State.

Comment 2. The Draft EIR does not describe concrete mitigation measures for the fill of waters of the State at the Project site.

As is noted above, implementation of the Project may result in the permanent loss of up to 0.39 acres and 810 linear feet of perennial freshwater wetlands within the active channel of the Eastside Drainage Swale if these wetlands are filled or culverted. These wetlands are subject to the regulatory jurisdiction of the Water Board. The Project may also result in the loss of 0.05 acres of associated riparian habitat.

To address impacts to 0.39 acres of wetlands, Chapter 3.3 of the Draft EIR includes Impact BIO-6 and associated Mitigation Measure MM BIO-6.1

> **Impact BIO – 6:** Construction of the proposed project may result in the permanent loss of 810 linear feet (0.39 acres) of freshwater wetlands. **(Significant Impact)**
>
> **Mitigation Measures:** The following mitigation measures would minimize impacts to freshwater wetlands to a less than significant level:
>
> **MM BIO – 6.1:** If avoidance of the wetlands is not proposed, to compensate for the permanent loss of wetlands, perennial marsh habitat shall be restored or created at a minimum ratio of 2:1 (compensation:impact) on an acreage basis, unless a higher ratio is required by a regulatory agency, in which case that higher ratio shall apply. This ratio is not higher due to the relatively low quality of the wetlands in the project area relative to more extensive, less fragmented wetlands elsewhere along the Guadalupe River, but is not lower due to the temporal loss of wetland functions and values that will result from the lag between impacts to the wetlands in the Plan area and maturation of the mitigation habitat.
>
> Compensation will be provided by creating or restoring wetland habitat so as to achieve the 2:1 ratio (or higher ratio, if required by a regulatory agency) somewhere in the Santa Clara Valley. Among other criteria, the mitigation site(s) must not currently be wetlands. A qualified biologist shall develop a "Wetland Mitigation and Monitoring Plan" describing the mitigation, which will contain the following components (or as otherwise modified by regulatory agency permitting conditions):

The Draft EIR asserts that implementation of MM BIO-6.1 would reduce impacts to wetland habitat to a less than significant level. However, the Draft EIR lacks sufficient detail to support that conclusion. Mitigation Measure MM BIO-6.1 does not actually include a wetland mitigation plan; it only requires the future development of a wetland mitigation plan.

Developing a wetland compensatory mitigation plan for impacts to 0.39 acres of wetlands at a 2:1 ration is not a simple process. It is necessary to find sufficient land with the proper hydrology and soil permeability to sustain a minimum of 0.78 acres of mitigation wetlands. In addition to

the 0.78-acre footprint of a proposed mitigation wetland, an acceptable mitigation project would require a sufficient buffer area around the mitigation wetland to sustain the habitat values of the mitigation wetland, as well as sufficient area for a watershed large enough to sustain wetland hydrology at the mitigation site. All of this land area must be protected in perpetuity through the recording of a conservation easement, deed restriction, or other form of restrictive covenant acceptable to the Water Board, Corps of Engineers, and California Department of Fish and Wildlife. In light of the high cost of land in the Santa Clara Valley, it is difficult to find sufficient land to support the successful creation of a self-sustaining 0.78-acre mitigation wetland.

Please note that the required amount of wetland mitigation will depend on the similarity of the impacted wetlands to the proposed mitigation wetlands, the uncertainty associated with successful implementation of the mitigation project, the anticipated temporal loss of wetland habitat (i.e., the time between the fill of the impacted wetlands and the full functioning of the mitigation wetland), and the distance between the site of the impact and the site of the mitigation wetland. In-kind mitigation for the fill of wetlands consists of the creation of new wetlands. If the mitigation consists of restoration or enhancement of wetlands, the amount of mitigation will be greater than if the mitigation consists of wetland creation. If there are uncertainties with respect to the availability of sufficient water to support seasonal wetlands or sufficiently impermeable soils to sustain saturation, then the amount of mitigation would also have to be greater. Finally, the amount of required mitigation increases as the distance between the impact site and the mitigation site increases. Therefore, it is possible that a ratio greater than 2:1 may be required to mitigate for impacts to the Eastside Drainage Swale.

In a CEQA document, a project's potential impacts and proposed mitigation measures should be presented in sufficient detail for readers of the CEQA document to evaluate the likelihood that the proposed remedy will actually reduce impacts to a less than significant level. CEQA requires that mitigation measures for each significant environmental effect be adequate, timely, and resolved by the lead agency. In an adequate CEQA document, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4). Mitigation measures to be identified at some future time are not acceptable. It has been determined by court ruling that such mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required under the California Environmental Quality Act. The current text of the Draft EIR does not demonstrate that it is feasible to mitigate all potentially significant impacts to wetlands that may result from Project implementation to a less than significant level. Impacts to the jurisdictional waters at the Project site, as well as proposed mitigation measures for such impacts, will require review under CEQA before the Water Board can issue permits for those proposed impacts.

The Discussion of MM BIO-6.1 also includes this text:

> Alternatively, mitigation may be provided by restoring or creating at a minimum ratio of 2:1 (compensation:impact) on an acreage basis by either: (a) purchasing credits at a suitably located mitigation bank in the Santa Clara Valley approved by the City of Santa Clara; or (b) donating funds to a project undertaking enhancement or restoration of wetland or riparian habitats in the Santa Clara Valley, approved by the City of Santa Clara.

The first proposed alternative form of compensatory mitigation is not feasible at the Project site at this time. Water Board staff are not aware of any mitigation banks or in-lieu fee programs that have available seasonal wetland credits for a service area that includes the Project site. Water Board staff are also not aware of wetland or riparian enhancement or restoration projects in the Santa Clara Valley that are sufficiently large to provide compensatory mitigation for the culverting of the Eastside Drainage Swale. Therefore, the Project will probably need to provide Applicant-responsible compensatory mitigation for impacts to seasonal wetlands.

Comment 3. The City of Santa Clara should not assume that the resource agencies will allow the culverting of the Eastside Drainage Swale.

The Water Board considers the proposal to culvert 0.39 acres (810 linear feet) of seasonal wetlands in the Eastside Drainage Swale to be a significant amount of fill for a project that is not water dependent. The *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan) requires that this proposed fill be evaluated with a Clean Water Act Section 404(b)(1) Alternatives Analysis that demonstrates that there is no feasible way to avoid the proposed fill of jurisdictional waters. Since the proposed Project is not a water-dependent project, it is unlikely that the Water Board would issue permits that would authorize the proposed fill of 0.39 acres (810 linear feet) of seasonal wetlands.

Comment 4. The discussion of Hazards does not address the Project area's proximity to a closed landfill.

The discussion of Hazards and Hazardous Materials in Section 3.8 does not discuss the presence of a closed landfill on the northern border of the Project area. Much of the Project area lies within a 1,000-foot distance from the landfill. 27 CCR Section 21190 imposes specific requirements on land uses within this distance of a landfill in subsections (c) and (g):

(c) All proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste.

(g) All on-site construction within 1,000 feet of the boundary of any disposal area shall be designed and constructed in accordance with the following, or in accordance with an equivalent design which will prevent gas migration into the building, unless an exemption has been issued:

1. a geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and subgrade;
2. a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;
3. a geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;
4. perforated venting pipes shall be installed within the permeable layer, and shall be

designed to operate without clogging;
5. the venting pipe shall be constructed with the ability to be connected to an induced draft exhaust system;
6. automatic methane gas sensors shall be installed within the permeable gas layer, and inside the building to trigger an audible alarm when methane gas concentrations are detected; and
7. periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with Article 6, of Subchapter 4 of this chapter (Section 20920 et seq.).

The Project area may also be subject to the Department of Drinking Water's restrictions on installing water supply conveyances within 100 feet of a landfill. \

We encourage the City to include the impact of the adjacent landfill on Project construction in the Final EIR for the Project.

Comment 5. The discussion of Soil and Groundwater Contamination makes several unsubstantiated statements on volatile organic compound (VOC) impacted groundwater.

The discussion of Soil and Groundwater Contamination in Section 3.8.1.2 includes several statements that warrant clarification.

In referring to the SLIC (now referred to as Site Cleanup Program, or SCP) case at 2339 Calle Del Mundo:

> The Draft EIR states, *"The VOC impacted groundwater appears to have migrated below the northerly adjacent landfill property (current golf course)."* Currently, it is not certain whether this VOC plume has impacted the landfill well G-2R, or whether G-2R may be impacted by the landfill leachate (or both), based on significant differences in the elevation of groundwater and leachate near the site.

In referring to the All Purpose Landfill:

> The Draft EIR states, *"The area of VOC impacted* [sic] *on parcel 4 is located cross-gradient from the site with respect to groundwater flow direction (northeast) and did not migrate below the site."* Until more data is obtained from groundwater and leachate in the southeast portion (or east corner) of Parcel 4, this remains uncertain.
>
> The Draft EIR states, *"Two groundwater monitoring wells are located on the southern border of the landfill (Parcel 2) and immediately north of the Plan Area. Low concentrations of VOCs have been detected in ground water from both monitoring wells, one of which is located down-gradient of 2339 Calle Del Mundo, an identified SLIC site discussed above."* As noted above, the VOC plume observed at well G-2R has not been clearly identified as an impact by the SCP case or the landfill, or both. Furthermore, in the last several years, the concentrations of chlorinated VOCs have significantly risen in this well, raising an issue over vapor intrusion impacts.
>
> The Draft EIR states, *"Landfill gas investigations were conducted at the landfill and identified several VOCs in landfill gas. Benzene, ethylbenzene, and vinyl chloride were reported in landfill gas at concentrations exceeding residential and commercial*

Environmental Screening Levels (ESLs)." The specific screening levels need to be explained. Note that while the current (2016) ESLs can be applied for most circumstances, they should follow the guidance on the ESL webpage under Vapor Intrusion Updates:

https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/esl.html

This applies to the generation of more stringent vapor intrusion screening levels for groundwater and soil gas using the USEPA-recommended attenuation factors (0.03 for all soil gas and 0.001 for all groundwater).

Also note that the most recent concentration of TCE in G-2R is 51 µg/L, which is over 40 times the residential screening level using the USEPA-recommended attenuation factors.

Conclusion

The Draft EIR does not provide sufficient detail with respect to mitigation for Project impacts to wetlands. The Draft EIR should be revised to provide specific mitigation measures for all impacts to waters of the State. The amount of proposed mitigation should include mitigation for temporal losses of any impacted waters of the State. If mitigation is out-of-kind and/or off-site, then the amount of the proposed mitigation should be increased. Proposed mitigation measures should include designs with sufficient detail to show that any created wetlands will have sufficient hydrology to sustain wetland hydrology and vegetation without human intervention. A proposed program for monitoring the success of the mitigation features should also be included with the mitigation proposal(s).

However, it is preferable to revise the Project description to avoid the culverting of 0.39 acres (810 linear feet) of wetlands. Since the Project is not water dependent, the proposed fill of onsite wetlands may not be able to receive a permit from the Water Board for this amount of fill.

If the Draft EIR is adopted without either providing concrete mitigation proposals for impacts to wetlands or removing the proposed impacts to wetlands associated with the Project, it is likely that the EIR will not be adequate to support the issuance of CWA Section 401 certification for the culverting of the Eastside Drainage Swale.

If you have any questions, please contact me at (510) 622-5680, or via e-mail at brian.wines@waterboards.ca.gov.

Sincerely,

Brian Wines Digitally signed by Brian Wines Date: 2018.09.10 13:44:31 -07'00'

Brian Wines
Water Resource Control Engineer
South and East Bay Watershed Section

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFW, Marcia Grefsrud (marcia.grefsrud@wildlife.ca.gov)
Corps, Katerina Galacatos (katerina.galacatos@usace.army.mil)
Corps, Greg Brown (gregory.g.brown@usace.army.mil)

Sunnyvale

September 11, 2018

City Hall
456 West Olive Avenue
Sunnyvale, CA 94088-3707
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John Davidson, Principal Planner
City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050
Sent via e-mail: jdavidson@santaclaraCA.gov

Re: Comments on Notice of Availability of a Draft Environmental Impact Report for the Tasman East Specific Plan

Dear Mr. Davidson:

Thank you for the opportunity to review the Draft Environmental Impact Report for the proposed Tasman East Specific Plan in Santa Clara. This letter includes comprehensive comments from multiple City of Sunnyvale departments with each department representative listed with that party's comments.

A. General Questions and Comments:

1. The City of Sunnyvale does not see any discussion on the compatibility of the stadium use to the proposed residential uses, especially from a transportation circulation perspective. The EIR for the Levi's Stadium project mentioned multiple times that the stadium-related circulation changes and road closures would not be an impact on surrounding uses because those uses were office/industrial and generally closed during stadium events. This will not be the case with the new residential uses and discussion on the topic is warranted, along with updates to the Transportation Management and Operations Plan (TMOP) that was required within the MMRP of the Levi's Stadium EIR.

B. Traffic and Transportation Comments:

Thank you for the opportunity to provide feedback on the DEIR for this significant project. We look forward to personally discussing transportation related matters in the near future, as well as other meeting opportunities at key points of the project planning. If you have questions on the following traffic related items, please contact Lillian Tsang, Principal Transportation Engineer, Dept. of Public Works, ltsang@sunnyvale.ca.gov or (408) 730-7556.

1. The City of Sunnyvale uses criteria of the VTA TIA Guidelines as a basis for determining study intersections. Based on the project trip generation (Table 3-4), project trip distribution (Figure 3-4), and project trip assignment (Figure 3-5), the intersection of Tasman Drive/Lawrence Expressway would have 82 project trips traveling eastbound toward Sunnyvale during the AM peak hour, and 80 project trips traveling westbound from Sunnyvale during the PM peak hour. These project trips would very likely travel to the intersection of Tasman Drive/Fair Oaks Avenue and therefore, all the signalized intersections along Tasman Drive, east of Fair Oaks Avenue, should be considered as study intersections in this EIR because the proposed project is expected to add 10 or more peak hour vehicles per lane to these intersections. The City of Sunnyvale typically analyzes traffic conditions at the study intersections during the AM (7-10) and PM (4-7) peak hours under existing and future analysis scenarios. The following Sunnyvale intersections should be included in this study:
    a. Tasman Drive / Reamwood Avenue
    b. Tasman Drive / Adobe Wells Street
    c. Tasman Drive / Birchwood Drive
    d. Tasman Drive / Vienna Drive
    e. Tasman Drive / Fair Oaks Avenue

2. The project site is located near the easterly boundary of the City of Sunnyvale; however, relevant approved projects within Sunnyvale were not included in the study estimates of the Background traffic volumes. Similarly, pending projects were not incorporated in the cumulative traffic volume estimates. Not including these projects potentially underestimates the growth in the study area under the Background and Cumulative conditions.

3. An analysis of the School PM peak hour (2 PM to 4 PM) should be included to assess the project impact associated with the proposed school.

4. If the project were to have significant impacts on any Sunnyvale intersections, the project shall pay a fair-share payment contribution based on City of Sunnyvale's traffic impact fee schedule.

C. Environmental Services Department Comments:

If you have questions on the following comments, please contact Mansour Nasser, Water and Sewer Systems Division Manager, Environmental Services Division, mnasser@sunnyvale.ca.gov or (408) 730-7578.

1. The WSA for the project states that the proposed development will result in an increase of 627.3 acre feet (AF) per year in water demand (pumped from groundwater). Last year (2017) Santa Clara pumped 12,200 AF and the 2015 Urban Water Management Plan (filed with DWR) states that the City of Santa Clara can utilize up to 23,048 AF per year from its wells.

Sunnyvale

a. Page 14 of the WSA states that, "During a multiple dry year event, the City projects no reduction in supplies from groundwater." The City of Sunnyvale would like to see this statement verified by the Santa Clara Valley Water District (SCVWD) and the San Francisco Public Utilities Commission (SFPUC) due to the fact that the most recent drought severely impacted groundwater levels and has caused concern of ground subsidence due to the depleted levels of water in the aquifer. According to the Annual Groundwater Report (2017) by the SCVWD, Santa Clara is the second highest groundwater user in the County and with this increase in water needs, the City of Sunnyvale is concerned with the results of the WSA.

2. It is important to note that there is currently no intertie that exists along Tasman Drive.

The City of Sunnyvale appreciates your consideration of the requested study scope elements described above. Please contact Amber Blizinski, Principal Planner, if you have any questions or concerns about items discussed in this letter at (408) 730-2723 or ablizinski@sunnyvale.ca.gov.

Sincerely,

Andrew Miner
Assistant Director, Community Development Department

cc: Kent Steffens, City Manager
Trudi Ryan, Director, Community Development
Chip Taylor, Director, Department of Public Works
Ramana Chinnakotla, Director, Environmental Services
Shahid Abbas, Transportation/Traffic Manager

SANTA CLARA UNIFIED SCHOOL DISTRICT

1889 Lawrence Road
Santa Clara, CA
95051
408-423-2000

Stanley Rose III, Ed.D.
Superintendent

VIA EMAIL

September 13, 2018

John Davidson
Principal Planner
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
jdavidson@santaclaraca.gov

RE: Tasman East Specific Plan; CEQ2016-01026; PLN2016-12400

Dear Mr. Davidson:

The Santa Clara Unified School District (District or SCUSD) appreciates the opportunity to respond to the Draft Environmental Impact Report (DEIR) for the Tasman East Specific Plan (TESP), by the City of Santa Clara. The TESP is proposing up to 4,500 residential units including apartments, townhomes, condominiums and single family homes both for sale and rent. The combination of these attributes in new developments will attract families, thereby resulting in impacts to the SCUSD and surrounding community. In our letter dated August 7, 2017 the District recommended several additional topics the EIR should study.

Since the California Department of Education requires school sites to adhere to strict placement regulations as found in Title 5 of the California Education Code, the District requested that the EIR study the best location for the two acre school and parks within the development and that TESP indicate the exact location of the school and parks in order to provide the greatest benefit to the community. This study was not included in the DEIR and the exact location of the school and parks were not identified. The District is concerned that without a designated location, the developers may not include a school or enough public facilities to support the development or try to locate them where schools cannot be constructed. SCUSD encourages the City to add a designated location for the school, which will be able to be approved by the State of California.

Adding a school site to the TESP will greatly reduce the pressure of the proposed development's impacts to the student population at Katherine Hughes Elementary. The District requested the EIR study the opportunities for a safe and secure pathway for students and community members to walk or bike between the TESP and Katherine Hughes Elementary as an interim mitigation measure, until there are enough funds to construct a new elementary in the TESP. Although the DEIR does mention that the TESP would ensure clear and safe pedestrian circulation and that convenience, safety and integrated access would be prioritized for all modes of transportation, the DEIR did not specifically study or mention safe routes in relation to nearby SCUSD schools, Kathryn Hughes Elementary and Don Callejon Elementary and Middle School.

Board
of Education
...
Jim Canova
Albert Gonzalez
Jodi Muirhead
Andrew Ratermann
Mark Richardson
Michele Ryan Ph.D.
Noelani Sallings

The District requested the EIR traffic study to assess intersections around the schools, including Tasman Drive and Lafayette Street, Lafayette Street and Calle de Primavera, Lick Mill Boulevard and Tasman Drive, and Montague Expressway and Lick Mill Boulevard when school is in session during pick up and drop off. Traffic studies included only two of the intersections and at AM (7:00 AM and 9:00AM) and PM (4:00 PM and 6:00 PM) peak hours. The study was not done during typical school pick up times.

The District requested that the EIR include a study of the routes students will take from outside the development in order to attend the proposed school in the TESP. Without an exact school location identified on the site, this study could not be done. A school of 600 students will have a staff and volunteers of approximately 50 each day. Many staff and parents will drive their children to school, if they do not live in the TESP. This will add additional traffic to the area during the pick-up and drop-off times. The Existing Project Trip Generation Estimates in Table 3.14-5 of the DEIR only accounts for 390 students generating vehicle trips to the proposed school with a 35% reduction to account for students residing in Tasman East walking and biking to school.

In order for the District to be able to accommodate all students within the District, the District requires a voluntary community benefit payment from the developers in addition to the statutory developer fee. All state and local jurisdictions affected from the Project will collect 100% or more of the calculated impact of the project, except the SCUSD. School districts are at a disadvantage when collecting funds for capital improvements, since districts are restricted to charging a set amount per square foot of a new development. The statutory developer fee mandated by SB 50 ("Statutory Developer Fee") for residential construction is currently $3.79 per square foot and the industrial and commercial construction is currently $0.61 per square foot. The Statutory Developer Fee does not adequately cover the land purchase, design, and construction cost incurred by the District for new or expanded school facilities.

The District's Residential Development School Fee Justification Study (RS), dated March 12, 2018, calculates the actual school facilities cost impact per residential square foot for detached single family homes to be $20.90 per square foot and $28.89 per square foot for multi-family attached houses. This is a deficit of $17.11 for single family and $28.28 for multi-family new residential per square foot constructed.

The District's Commercial/Industrial Development School Fee Justification Study (CID), dated March 12, 2018, calculates the actual net school facilities cost impact of retail new construction to be $1.99 per square foot. This is a deficit of $1.38 per square foot of retail constructed. The CID calculates the actual net impact of office space is $3.12 per square foot, which is a deficit of $2.51 per square foot. Therefore, the Santa Clara Unified School District is requesting developers provide for full mitigation of their impact through a combination of a voluntary community benefit payment and the Statutory Development Fee equal to the calculated impact in the SCUSD CID Study.

The combination of constantly increasing construction costs combined with lack of existing capacity in District schools, make it imperative the District continually plan for and collect adequate funding for school construction. The District will not support approval of the TESP or any project within the TESP, without a designated school site within the Tasman East Specific Plan or nearby, and a requirement of all developers to provide full mitigation of their impact through a combination of voluntary community payments and the applicable Statutory Development Fee. The City and District must work together to create the best community for all residents.

Please feel free to contact me with any questions.

Sincerely,

Michal Healy

Michal Healy
Director, Facilities Development and Planning

cc: Stanley Rose; srose@scusd.net
Eric Dill; edill@scusd.net

Santa Clara Valley Transportation Authority

September 13, 2018

City of Santa Clara
Department of Planning
1500 Warburton Avenue
Santa Clara, CA 95050

Attention: John Davidson

Subject: City File No. PLN2016-12400 / Tasman East Specific Plan

Dear Mr. Davidson:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Tasman East Specific Plan. VTA appreciates our involvement in the Tasman East Specific Plan Technical Advisory Committee. This project presents a prime opportunity to implement the City and VTA's shared goals to improve transit options to encourage the public to use transit further, and improve travel time reliability. VTA is encouraged by the proposed Specific Plan's increased development densities that will generate ridership, specifically at the doorstep of the Lick Mill Station. However, VTA is concerned that project traffic generated by the Tasman East Specific Plan could slow down transit at the expense of customers, workers and residents of Santa Clara, and to VTA's operations.

VTA recommends a shared, holistic approach and coordinated action with the City to take on the tremendous growth opportunity occurring in North Santa Clara in the Tasman East area, neighboring developments (e.g., City Place and Levi's Stadium), potential developments (e.g., 3005 Democracy Way), and the forthcoming nearby Patrick Henry and Freedom Circle Specific Plan areas. As these developments and plans come forward, VTA is prepared to partner with the City to consider the area's new travel demand and how the potential effects of congestion are affecting multimodal travel, particularly transit. VTA and the City can steward this once-in-a-lifetime opportunity for growth while improving the viability of transit, which will be critical to the success of a sustainable, urban future for North Santa Clara.

VTA supports the Specific Plan, as noted in our previous Tasman East Specific Plan comment letters, and highlights the following key issues:

- Impacts to Transit Travel Times
- Impacts to Congestion Management Program (CMP) Freeway Segments

Impacts on Transit Travel Times

The DEIR/TIA identifies a significant and unavoidable impact to Light Rail travel times of approximately two to three minutes of delay, and states there are no feasible mitigation measures (DEIR p.253/TIA p. 117). The DEIR/TIA notes that transit signal priority currently exists along

Tasman Drive, and that "significant increased delays are estimated to result from the project" (DEIR pp.253-254).

VTA notes that the DEIR/TIA should be updated to reflect the operation of two Light Rail lines (i.e., Green Line and Orange Line) along the Tasman Corridor, per the VTA Board-approved Next Network Plan. The DEIR/TIA currently notes the operation of one Light Rail line.

Per VTA's analysis, an average delay per train of two to three minutes would constitute over 4,000 annual hours of delay over the two Light Rail lines that will be operating through this area, which would cost VTA over $1M annually in additional operating costs.

The additional operating costs associated with this delay include additional light rail vehicles deployed to provide the same frequency of service as stated in the approved Next Network Plan. The DEIR/TIA makes clear that project traffic resulting from the Tasman East Specific Plan would contribute new congestion along the Tasman Corridor at intersections between Great America Parkway and North First Street, degrading Light Rail travel times. The DEIR/TIA states that no feasible mitigation measures exist. VTA disagrees and notes that strengthened transit priority measures exist, such as full Transit Signal Preemption along the Tasman Corridor through the City of Santa Clara, which would constitute a feasible mitigation for this impact. **VTA recommends that additional analysis be conducted that includes the cumulative impacts to both light rail lines, and a full analysis assuming Transit Signal Preemption through this corridor.**

VTA welcomes the Tasman East Specific Plan's proposed development densities to create a "transit-oriented neighborhood" and underscores that doing so requires concurrent off-setting mitigation of impacts to transit in order to enhance travel times, and emphasize the appeal of transit for travelers in the corridor.

Ongoing Coordination between City of Santa Clara and VTA
VTA appreciates that the City of Santa Clara and VTA are taking steps to discuss the opportunities and challenges for land use and transportation in North Santa Clara, with a meeting scheduled for October 1, 2018. From a comprehensive, long-range planning perspective, VTA is concerned that North Santa Clara's burgeoning growth could continuously degrade transit travel times, and burden VTA and tax payers with increased light rail operating costs. However, VTA and the City can change this trajectory through partnership to preserve and enhance multimodal travel through the Tasman Corridor.

Relationship to Tasman Complete Streets Study
VTA and the City are partnered on existing efforts such as the Tasman Complete Streets Study, which is finalizing a conceptual vision (10% design) for the interjurisdictional Tasman Corridor. The City has affirmed the direction of the Tasman Complete Streets Study. The strengthened transit priority measures recommended by VTA for the Tasman East Specific Plan would not precluded by the Tasman Complete Streets Study. The "Phase 2" of the Tasman Complete Streets Study would include a full traffic operational analysis, engineering, and design work that

could support Transit Signal Preemption or strengthened transit priority measures, subject to stakeholder input.

Relationship to VTA Fast Transit Program
VTA and the City, and our other Member Agencies, are in dialogue about the VTA Fast Transit Program's forthcoming Speed and Reliability Policy, aimed at making transit more appealing by increasing transit speeds and on-time reliability, informed by a comprehensive examination of the causes of VTA's declining speeds and reliability. In the case of the Tasman East Specific Plan, the DEIR/TIA acknowledges that the proposed Specific Plan is a source of transit delay. Future recommendations for the Speed and Reliability Policy would likely complement VTA's recommendation for strengthened transit priority measures as part of the Tasman East Specific Plan.

Relationship to City of Santa Clara Multimodal Improvement Plan
VTA and the City are also closely partnered on the City of Santa Clara Multimodal Improvement Plan (MIP), which is being finalized by the City. The MIP is a requirement in response to the City Place project's identified impacts to CMP intersections which could not be fully mitigated. The MIP is an opportunity to tradeoff infeasible mitigations (e.g., physical improvements, such as roadway widenings) with "offsetting" multimodal improvements. The opportunity for strengthened transit priority measures recommended by VTA for the Tasman East Specific Plan are not precluded by the improvements proposed by the MIP, and would serve to complement the policy direction of the MIP.

Impacts to CMP Freeway Segments
The TIA identifies 16 directional freeway segment impacts (p. 66). The TIA notes that VTA has a Voluntary Contribution Program and that the project has the option to contribute toward such program (p. 72). VTA recommends providing a Voluntary Contribution toward regional transportation improvements in or near the impacted facilities from the latest Valley Transportation Plan (e.g. SR 237 Express Lanes Phase III, and US 101 Express Lanes), pedestrian/bicycle/transit improvements proposed through the Tasman Corridor Complete Streets Study, or the implementation of an upgraded Great America Intermodal Station (which will be studied through the Santa Clara MIP). VTA would like to begin coordination on this Voluntary Contribution opportunity prior to finalizing the EIR.

California Public Utilities Commission (CPUC) Permits
Should effects of the Tasman East Specific Plan modify existing crossings of light rail tracks, specifically at Tasman Drive/Lick Mill Parkway or Tasman Drive/Calle del Sol, the Project will require review by the CPUC of the Project's effect on the existing light rail crossings, specifically the filing of the GO88-B application and others per CPUC General Order 88-B and 75-D. CPUC requires VTA's concurrence related to modifications to these crossings. For more information about the CPUC Crossing GO88-B application process, please contact Willard Lam, VTA's CPUC Crossing representative at (415) 703-1327, or Willard.Lam@cpuc.ca.gov.

Thank you for the opportunity to review this project. VTA looks forward to continuing and improving our coordinated planning efforts with the City of Santa Clara on the Tasman East Specific Plan, North Santa Clara area, and other joint efforts that will contribute toward a sustainable future for land use and transportation. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

cc: Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

SC1612

5750 Almaden Expressway, San Jose, CA 95118 3614 | (408) 265-2600 | www.valleywater.org

Santa Clara Valley Water District

File: 33448
Guadalupe River

September 13, 2018

Mr. John Davidson
City of Santa Clara
Planning Division Office
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: Draft Environmental Impact Report – Tasman East Specific Plan

Dear Mr. Davidson:

The Santa Clara Valley Water District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the Tasman East Specific Plan, dated July 2018 and received by the District on July 30, 2018.

The District owns property along the easterly side of the site over the Guadalupe River. If any work is proposed on the District's property, such as trail connections, issuance of a District permit as per the District's Water Resources Protection Ordinance will be necessary. In such case the District will be a responsible agency under CEQA.

Based on our review of the DEIR the following comments were previously provided to the City on January 11, 2017 regarding the Notice of Preparation and do not appear to have been addressed in the DEIR:

1. The project description notes that the project will include connections to the Guadalupe River Trail which is located on District property along the top of levee maintenance road and operated by the City of Santa Clara under a Joint Use Agreement with the District. Any new connection point to the trail need to be open to the public at large and may require modification of the existing Joint Use Agreement to include the new access.

   Connection points that are not located at existing street crossings of the river, can negatively impact the structural integrity of the levee and District levee maintenance operations. Connections to the trail should be coordinated with the adjacent City Place development to minimize the number and access points within this overall reach of the river. The City should have an overall plan for trail access points as the District will not allow access points to be constructed at each development along the river. Additionally, such connections should utilize placement of fill adjacent to the levee as it minimizes the levee height. Also, note the existing trail is unpaved and the District will not allow paving of the existing west side levee trail.

2. Development and landscaping of the area along the levee should consider opportunities such as site layout, fencing, landscaping, and education to discourage the public from creating pioneer trails up the levee slope to access the existing trail. Pioneer trails are

problematic as they negatively impact the levee integrity, levee maintenance, drainage, and create liability issues.

3. As noted in previous communications to the City, the project should consider the potential for regulatory requirements to change from 100-year to 200-year flood protection and climate change in the future. The 200-year requirement has been imposed in other parts of the Country and State so the possibly of such a change exists. Generally, levee raising is preferable to floodwalls, but it requires a larger footprint.

4. The levee for the Guadalupe River is located along the east side of the site. To protect the levee and allow for adequate room for emergency access in the event that the levee is compromised, buildings should be adequately setback from the levee and landscaping should allow for a 15-foot tree free zone from the levee toe to meet Army Corps of Engineers levee guidelines.

5. The District records indicate that there are 14 active wells within the project site and possibly one abandoned well. If currently active wells will continue to be used following development of the site, they must be protected so that they do not become lost or damaged during construction. If the wells will not be used following development of the site, they must be properly destroyed under permit from the District. The abandoned well if found during construction must be properly destroyed under from the District or registered with the District and protected from damage. It should be noted that while the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. All wells found at the site, must be destroyed, or registered with the District as noted above. For questions about the wells, please contact the District Wells and Water Measurement Unit at (408) 630-2660.

6. If native plants are proposed for use at the site, their use should be in conformance with the Guidelines and Standards for Land Use Near Streams to protect the existing locally native plants along the river and the District's mitigation areas. Generally, this requires natives proposed that are found naturally in this area of the Guadalupe River to be grown from locally collected propagules.

In addition to the above previously provided comments we have the following additional comments regarding the DEIR:

7. Figures 2.0-3, -4, and -5 incorrectly identify District property as easement. At this location the District owns fee title property and these figures should be revised for accuracy.

8. The proposed ramps/stairs to connect the project site to the existing river trail mentioned on page 19 in Section 2.3.5.1 – River District, will require a District permit. Also, as noted above the number of connection points need to be minimized and carefully located. This section of the DEIR should provide more detail regarding placement, as these features have the potential to impact levee and flood protection activities.

9. The discussion of lighting in Section 2.3.5.1 - River District, needs to clearly note that path lighting is not to include any part of the trail or trail access on District property.
10. The discussion on page 19 in Section 2.3.6 - Common Open Space and Landscaping, should include reference to the Guidelines and Standards for Land Use Near Streams, regarding planting near the river to protect existing riparian habitat in particular. See Design Guide 2-5 enclosed.
11. On page 87 MM Bio – 7.1 notes mitigation for impacts to riparian woodland habitat is to be accomplished preferably along the Guadalupe River. Non-District mitigation on District property is not allowed as the District property is required to accommodate the District's mitigation needs. There is likely no available land along the river that is not owned by the District or required as part of the remaining flood project along the river.
12. The standard erosion control seed mix to be used near the Guadalupe River mentioned in MM Bio – 9.3 should conform with the Guidelines and Standards for Land Use Near Streams, Design Guide 5.
13. On page 148 the flooding discussion notes the mapped flooding at the site is due to a "lack of capacity in the local drainage system (i.e., Guadalupe River and the Eastside Pump Station)." The District has completed flood protection improvements on the Guadalupe River to contain the 1% flood flows. Flooding at the site is not due to lack of capacity of the river but lack of capacity of the local drainage system that discharges to the river.
14. Page 148 and page 9 of Appendix E should be revised to include the Lenihan Dam on Lexington Reservoir to the dams whose failure would inundate the project site.
15. As noted on page 152 MM HYD – 1.1 and page 277 Section 3.15.1.4, it is unclear how the installation of one catch basin will mitigate for off-site flooding if the local drainage system is not of sufficient capacity already.
16. On page 153 the project proposes to place the Eastside Drainage Swale into a box culvert. Even if this work doesn't require use of District property the District would like to review plans for it as it could impact the levee.
17. On page 280 the Storm Drainage Impacts Section notes that the storm drain system is undersized to handle flows under existing conditions. It is unclear how moving additional flood waters offsite to one new catch basin will mitigate for placement of fill within the existing mapped special flood hazard areas.

Please forward a copy of the Final EIR addressing the above comments when available. If you have any questions, you may reach me at (408) 630-2479, or by e-mail at LBrancatelli@valleywater.org. Please reference District File No. 33448 on future correspondence regarding this project.

Sincerely,

Lisa Brancatelli
Assistant Engineer II
Community Projects Review Unit

cc: U. Chatwani, C. Haggarty, L. Brancatelli, M. Martin, T. Hemmeter, File

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

September 13, 2018

VIA EMAIL AND MAIL
Mr. John Davidson, Principal Planner
City of Santa Clara – Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050
Email: JDavidson@santaclaraca.gov

RE: City of San José's Comment Letter relating to the Draft Environmental Impact Report for the Tasman East Specific Plan (CEQ2016-01026, PLN2016-12400).

Dear Mr. Davidson,

On behalf of the City of San José (City), we would like to express our appreciation for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Tasman East Specific Plan (Specific Plan).

PROJECT DESCRIPTION

The City understands the project as a Specific Plan to allow for the development of a high-density, transit-oriented neighborhood with retail. The Specific Plan would allow the development of up to 4,500 dwelling units, up to 106,000 square feet of retail, an extension of Lick Mill Boulevard through the site, the potential construction of a school for up to 600 students, and approximately ten acres of parks and open space.

CITY OF SAN JOSÉ COMMENTS

The City supports Santa Clara's commitment to allow high-density residential development, a school, and ten acres of parkland adjacent to the proposed City Place development and other employment centers in North San José and Santa Clara. The development of high-density housing in Tasman East will balance the proposed office and retail development of the proposed City Place project and will help reduce regional vehicle miles traveled (VMT) by giving more employees the opportunity to live within walking, biking, or a short drive from their workplace. The greenhouse gas emissions analysis in the DEIR confirms the benefits of placing high-density housing adjacent to major employment centers.

However, the City does have concerns about the analysis in the DEIR with regards to biological resources (cumulative nitrogen deposition impacts) and transportation (analysis of VMT). Furthermore, the City's comment letter on the Revised Notice of Preparation (NOP), dated August 7, 2017, was not included in Appendix A of the DEIR. The City's NOP comment letter is included as an attachment to this letter and should be included in Appendix A of the DEIR.

The City's specific comments are discussed below:

1. Biological Resources – Cumulative Nitrogen Deposition Impacts to Bay Checkerspot Butterfly Habitat

The DEIR does not evaluate cumulative impacts to Bay Checkerspot Butterfly habitat in serpentine soils on hillsides surrounding Santa Clara Valley and Coyote Valley. Bay Checkerspot Butterfly habitat is primarily impacted by nitrogen deposition resulting from increased vehicle trips. The project site is located outside of the Santa Clara Valley Habitat Plan (SCVHP) area, and therefore is not subject to the requirements of the SCVHP. However, the SCVHP is the best regional biology science available for the species covered by the Plan, including for nitrogen deposition impacts to Bay Checkerspot Butterfly habitat. The SCVHP provides a framework for the Santa Clara Valley Habitat Agency to acquire and restore Bay Checkerspot Butterfly habitat. Although Santa Clara is not a part of the SCVHP, the DEIR should utilize the SCVHP framework for analytical information, disclosure, and mitigation for impacts to the Bay Checkerspot Butterfly resulting from trips generated by future development allowed under the Tasman East Specific Plan, in order to help protect this species.

2. Traffic/Transportation

In February 2013, Governor Brown signed Senate Bill (SB) 743 (Steinberg, 2013), which creates a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to analysis by Level of Service (LOS) criteria for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).)

SB 743 requires the CEQA Guidelines to develop a metric that promotes the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. OPR selected vehicle miles traveled as a replacement measure not only because it satisfies the explicit goals of SB 743, but also because agencies are already familiar with this metric. Vehicle miles traveled (VMT) is already used in CEQA to study other potential impacts such as greenhouse gas, air quality, and energy impacts and is used in planning for regional sustainable communities' strategies.

Replacing LOS with VMT will help meet regional goals, better align with VMT implementation requirements under SB 743, and may streamline development of vibrant, walkable communities. Removing barriers to housing production in areas that have access to services and increasing transportation options will help to reduce both housing and transportation costs—the largest two components of Californians' cost of living. With VMT mitigation, new development will add less vehicle travel onto highways, leading to better outcomes for regional congestion.

Although the City of Santa Clara has yet to adopt VMT as a metric for assessing transportation impacts under CEQA as required by SB 743, a discussion of the project's VMT should be included in the DEIR as an informational item, including for the project's impacts to the City of San José, because most development under the proposed Specific Plan will occur after the City of Santa Clara adopts new metrics to comply with SB 743. The Traffic Impact Analysis prepared for the Draft EIR (Appendix G) does evaluate per-capita VMT, but does not compare project VMT with County or regional average VMT. Such a comparison would help the public understand how the project's VMT compares with existing development patterns, and could reinforce the benefits of the project's proximity to employment and transit.

Additional comments may be forthcoming from the City of San José's Department of Public Works in a separate letter. For questions about transportation comments in this letter and the August 7, 2017 Notice of Preparation letter, please contact the City's Traffic Manager, Karen Mack. Ms. Mack can be reached at karen.mack@sanJoséca.gov.

CONCLUSION

We thank you for the opportunity to comment on the Draft EIR for the Tasman East Specific Plan EIR. The City of San José looks forward to continued collaboration, communication, and implementation of the project. If you should have any questions, please feel free to contact David Keyon, Supervising Environmental Planner at david.keyon@sanjoséca.gov or (408) 535-7898.

Sincerely,

Rosalynn Hughey

Rosalynn Hughey, Director
Planning, Building and Code Enforcement
City of San José

cc: City's Department of Public Works
City's Department of Parks, Recreation, and Neighborhood Services

Attachments:

1) City of San José's Comment Letter relating to the Revised Notice of Preparation for the Tasman East Specific Plan, dated August 7, 2017.
2) Comment letter from the City of San José's Department of Parks, Recreation, and Neighborhood Services, dated September 10, 2018.

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, INTERIM DIRECTOR

August 7, 2017

VIA EMAIL ONLY
Mr. John Davidson, Principal Planner
City of Santa Clara – Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

RE: City of San José's Comment Letter relating to the Revised Notice of Preparation for the Tasman East Specific Plan (CEQ2016-01026, PLN2016-12400).

Dear Mr. Davidson,

On behalf of the City of San José (City), we would like to express our appreciation for the opportunity to review and comment on the Revised Notice of Preparation (NOP) for the Tasman East Specific Plan (Specific Plan) Environmental Impact Report (EIR).

PROJECT DESCRIPTION

The City understands the project as a Specific Plan to allow for the development of a high-density, transit-oriented neighborhood with retail. The Specific Plan would allow the development of up to 4,500 dwelling units, up to 106,000 square feet of retail, an extension of Lick Mill Boulevard through the site, the potential construction of a school for up to 600 students, and approximately ten acres of parks and open space.

NOTICE OF PREPARATION COMMENTS

The City supports Santa Clara's commitment to allow high-density residential development, a school, and ten acres of parkland adjacent to the proposed City Place development and other employment centers in north San José and Santa Clara. The development of high-density housing in Tasman East will balance the proposed office and retail development of the proposed City Place project and will help reduce regional vehicle miles traveled (VMT) by giving more employees the opportunity to live in walking, biking, or a short drive from their workplace. However, buildout of the Specific Plan will result in a significant concentration of new residents on a 46-acre site on the City's border, resulting in changes to the local environment, especially with regard to biological resources, traffic patterns, and use of recreation facilities. Therefore, the City requests the EIR evaluate the following potential impacts related to air quality, biological resources, recreation/open space, and transportation/circulation:

1. Air Quality

The EIR should evaluate impacts to sensitive receptors from construction period air pollutants

during construction of development consistent with the Specific Plan. Sensitive receptors include residents in the City of San José across the Guadalupe River, approximately 500 feet east of the Specific Plan area.

2. Biological Resources – Santa Clara Valley Habitat Conservation Plan

The EIR should evaluate potential impacts of new development adjacent to the Guadalupe River. Project design that includes more open space (part of the proposed ten acres of parks and open space) along the Guadalupe River could serve as a buffer between future development and the riparian habitat while serving as an amenity.

Although the project site is located outside of the Santa Clara Valley Habitat Plan (SCVHP) area, it is immediately adjacent to the border of the covered area, just west of the City of San José. The SCVHP is the best regional biology science available, particularly for Nitrogen Deposition, and should be evaluated as part of the EIR. Even though Santa Clara is not a part of the SCVHP, the EIR should utilize the SCVHP framework for analytical information, disclosure and mitigation, particularly with regard to potential impacts to the Bay Checkerspot Butterfly resulting from cumulative nitrogen deposition from trips generated by future development.

3. Open Space and Recreation Area

Given that the proposed project abuts the City of San José, with likely impacts to public usage of San José's parks, open space, and recreational facilities, the City has the following concerns related to: (1) inadequate park space, (2) utilization of City's trail network, (3) habitat and open space connectivity, and (4) future adaptation measures to address climate change.

Recognizing that the Quimby Act and Mitigation Fee Act are imperfect measures to achieve adequate recreational land for residents, the City is concerned that the proposed 10-acre park is substantially below the City of Santa Clara's Parkland In-lieu Fee Schedule for New Residential Development (Resolution No. 17-8427) and the Quimby Act requirement for open space. As described in the ordinance and depending on whether a project is subject to Quimby Act or Mitigation Fee Act, individual residential projects in the development should be subject to a parkland obligation of either 3.0 or 2.53 acres per 1,000 residents, respectively. Assuming that to achieve the densities proposed in the Specific Plan, all units in the plan will be multifamily units with occupancy calculated at 2.24 residents per dwelling unit, the overall Specific Plan should be required to provide between 25.5 and 30.2 acres. The proposed 10 acres is substantially lower than both the City of San Clara and Quimby Act's requirements for recreation and open space and therefore, demand for public recreation facilities from new residents within the Specific Plan area will negatively impact San José's trail, park and other recreation facilities. The Specific Plan and EIR should account for how the additional parkland need will be addressed.

4. Traffic/Transportation

Please consider the following when preparing the traffic analysis:

- North San José Area Development Policy (NSJADP) and North San José Deficiency Plan (NSJDP)
- US 101 / Oakland Transportation Development Policy
- VMT analysis - Implementing SB743
- City of San José Protected Intersections
- City of San José TIA Guidelines
- VTA's CMP analysis
- Provide trip assignment distribution
    - Include number of AM/PM Peak hour trips distributed to protected intersections, freeways (US-101 Oakland, Mabury)
- TDM
    - Reduce parking, add bike parking, employer incentives, Eco Passes, unbundled parking, incorporate a TMA (Transportation Management Association) to provide transportation services/resources information to encourage trip reduction

Analysis review: To expedite EIR review, please consider all technical documents to be disclosure documents for all stakeholders, including the general public in addition to technical staff/reviewers.

City of San José development projects in the vicinity: Please contact City of San José Department of Public Works for current City of San José project list.

- PD16-034 - Top Golf
- PD15-053 - America Center Building 5
- PDC15-016 - Marriott Residence Inn
- SP16-053 - Cilker
- H15-037 - Boston Properties
- North San José

Evaluate the following City of San José intersections using TRAFFIX:

- Gold Street/Gold Street Connector (City of San José)
- Great America Parkway / State Hwy 237 (N)
- Great America Parkway / State Hwy 237 (S)
- N. First Street / Nortech Parkway
- Disk Drive / Nortech Parkway
- Wilson Drive / Grand Blvd
- N. First Street / State Hwy 237 (S)
- N. First Street / State Hwy 237 (N)
- N. First Street / Holger Way (Lamplighter Way)
- N. First Street / Headquarters Drive (Vista Montana)
- W. Tasman Drive / Vista Montana
- Renaissance Drive / Vista Montana

- W. Tasman Drive / Champion Court
- W. Tasman Drive / Rio Robles
- N. First Street / W. Tasman Drive
- N. First Street / Rio Robles
- N. First Street / River Oaks Parkway
- N. First Street / Montague Expressway
- Baypointe Parkway / Tasman Drive
- Zanker Road / State Hwy 237 (N)
- Zanker Road / State Hwy 237 (S)
- Zanker Road / Holger Way
- Zanker Road / Baypointe Parkway
- Zanker Road / Tasman Drive
- Zanker Road / Alicante Drive
- Zanker Road / River Oaks Parkway
- Zanker Road / Sony Driveway
- Zanker Road / Innovation Drive
- Zanker Road / Montague Expressway
- Cisco Way / Tasman Drive
- Any other intersections that meet the CMP Guidelines for analysis

Please identify any and all transportation improvements that may result from the full build-out of Specific Plan. We request that you coordinate with City of San José staff to provide seamless transportation connections between San José and Santa Clara:

1. City of San José intersections (using City of San José Council Policy 5-3 criteria)
2. Multimodal Bike, Ped and transit facilities

For impacts in North San José, please refer to the NSJADP and NSJDP. For impacts in other areas of San José, please provide preliminary mitigation proposals for San José review and approval.

CONCLUSION

We thank you for the opportunity to comment on the Revised NOP for the Tasman East Specific Plan EIR. The City of San José looks forward to continued collaboration, communication, and implementation of the project. If you should have any questions, please feel free to contact David Keyon, Supervising Environmental Planner at david.keyon@sanjoséca.gov or (408) 535-7898.

Sincerely,

Ned Thomas, Division Manager
Planning, Building and Code Enforcement
City of San José

CC: City's Department of Public Works
City's Department of Parks, Recreation, and Neighborhood Services

September 10, 2018

John Davidson
Principal Planner
City of Santa Clara – Planning Division
(408) 615-2450

Re: Draft Environmental Impact Report for the Tasman East Specific Plan Project
File Nos.: CEQ2016-01026, PLN2016-12400

Thank you for the opportunity to comment on the referenced project.

The City of San Jose, and the Department of Parks, Recreation, and Neighborhood Services has an interest in the project as the Specific Plan is immediately adjacent to the city boundary and may impact a number of our recreational facilities.

The Department supports the Specific Plan's call for:

- 10 acres of open space, paseos, and parkland within the 41.4-acre Tasman East project.
- a school site of up to two acres in size.

We encourage the City of Santa Clara to establish and enforce clear requirements and minimums for the provision of these park and open space assets.

PRNS has the following general comments on the Specific Plan, with additional details provided for each, as relate to (1) Provision of Adequate Parkland; and, (2) Trail Impacts and Use.

PRNS Summary Comments

Provision of Adequate Parkland

- The Specific Plan DEIR states that City of Santa Clara would use park impact fees to acquire offsite parkland and achieve a less than significant impact. PRNS is concerned about the availability of land for park purposes in this part of Santa Clara, as we struggle to identify and acquire suitable sites nearby in North San Jose.

- The adjacent City Place Project, also in Santa Clara, has proposed much more significant parks and open space. The DEIR should include this finding to clarify any misconceptions about the adequacy of parkland, if such public spaces are also intended to offset park impacts from the Tasman East Specific Plan. This would be consistent with the Cumulative Impacts to Recreation as described in Section 3.13.2.3.

-

- PRNS is concerned that nearby park and recreational facilities in San José may be negatively impacted through heightened use if the Tasman East Specific Plan is unable to adequately provide park and recreation area on site or in close proximity. Specifically, staff is concerned about potential impacts to larger community parks, sports fields, and regional facilities like San Jose's planned park at the former Agnews site (located at Cabrillo Road east of Zanker Road).

The current Draft EIR, proposes five acres of actual parkland and relies on paseos, pedestrian connections, and public open space to achieve the previously proposed 10-acre park. This is substantially below the City of Santa Clara's Parkland In-lieu Fee Schedule for New Residential Development (Resolution No. 17-8427). As staff understands the City of Santa Clara's Parkland Dedication Ordinances, the project would be required to provide between 25.5 and 30.2-acres of public parkland or fees in-lieu. PRNS also understands that park improvements are likely to be funded out of the same obligation, ultimately moderating the actual land exaction. The City of San José remains concerned that the five acres proposed is so significantly below these impact mitigation targets, that demand for public recreation facilities from new residents will negatively impact San José's own facilities, as well as those in Santa Clara proper.

It appears from statements in the Cumulative Impact to Recreation Section 3.13.2.3, that parkland acreage planned in the approved City Place Project will help offset the parkland impacts of the Tasman East Specific Plan. If this is the intent, PRNS would recommend that the DEIR make this statement clearer throughout all sections related to parks, recreation, and open space.

Trail Impacts and Use

- The Specific Plan DIER states that projects would construct bicycle access to the Bay Trail and Guadalupe River trail, supporting the finding that the project would have a less than significant impact. Staff is concerned that simply providing bicycle access to existing bicycle facilities is not an adequate evaluation of impacts to existing facilities, like the Guadalupe River Trail. The DEIR should evaluate and estimate likely bicycle trip generation resulting from implementation of the Specific Plan. San Jose maintains travel volume data for the trail system on its Trail Count page.

The City of San José has constructed and operates the Lower Guadalupe River Trail directly to the east of Project, providing active transportation links from San Francisco Bay at Alviso, south to Downtown San José and beyond. The Guadalupe River Trail serves both Santa Clara and San José residents. Over the past decade, San José's Trail Program has conducted an annual Trail Count, cataloguing the volume of trail users along several City trails. In the most recent Trail Count for 2016, staff has documented approximately 2,325 users over a 12-hour period at the nearby River Oaks bridge. Additionally, responses to Trail Count questionnaires estimate that approximately 51% of trail users utilize trails for transportation or commuting in some fashion. From this evidence of current use, it is likely that intensive development near the trail will increase the number commuters as well as recreational users of the trail and may have potential impacts to trail infrastructure and the safe and enjoyable experience of users.

In Section 3.14.2.7 Bicycle Facilities Impacts of the Draft EIR (Pg. 252), the DEIR states that "The proposed project provides adequate bicycle access to the Bay Trail and points south along the Guadalupe River Trail. As a result, bicycle impacts are considered to be less than significant." From this statement, the project is providing increased pedestrian and bicycle access to the trail, but has not fully evaluated the extent of new bicycle use on existing facilities, nor what the likely impacts of such increased ridership may be.

Once again, we greatly appreciate the opportunity to comment upon this project and request that we be placed on the mailing list for future correspondence.

Thank you,

David McCormic, Associate Landscape Designer

Parks, Recreation & Neighborhood Services
200 East Santa Clara Street, 9th Floor
San José, CA 95113-1903
408.535-8433

From: Montanagrl [mailto:montanagrl@aol.com]
Sent: Friday, August 10, 2018 1:35 PM
To: John Davidson
Subject: Tasman East Plan

Hi,
As a resident of Primavera since 1976, I am opposed to the development of this property. The roads in this area are already congested and busy. We DO NOT need this development. Please reconsider a smaller development or do not proceed with the present plan. Santa Clara is NOT a San Francisco even tho there are so many companies moving in to the area.
Thanks for your consideration
Linda Williams
2246 Avenida de los Alumnos
Santa Clara, CA 95054

LOZEAU DRURY LLP

T 510.836.4200
F 510.836.4205

410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
richard@lozeaudrury.com

Via Email and U.S. Mail

August 14, 2018

John Davidson, Principal Planner
Community Development
Planning Division
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
jdavidson@santaclaraca.gov

Andrew Crabtree, Director of
Community Development
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
acrabtree@santaclaraca.gov

Jennifer Yamaguma, Acting City Clerk
City Clerk's Office
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
clerk@santaclaraca.gov

Re: Comment on Draft Environmental Impact Report, Tasman East Specific Plan aka PLN2016-12400, SCH #2016122027 and File No. CEQ2016-01026

Dear Mr. Davidson, Mr. Crabtree and Ms. Yamaguma:

I am writing on behalf of the Laborers International Union of North America, Local Union No. 270 and its members living in the City of Santa Clara ("LIUNA"), regarding the Draft Environmental Impact Report; ("DEIR") prepared for the Project known as the Tasman East Specific Plan aka PLN2016-12400, SCH #2016122027 and File No. CEQ2016-01026, including all actions related or referring to the proposed development of a high density transit-oriented neighborhood of up to 4,500 dwelling units and up to 106,000 square feet of retail space bounded by Tasman Drive to the south, the Guadalupe River to the East, the Santa Clara golf course to the north, and Lafayette Street to the west in the City of Santa Clara ("Project").

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. Commenters request that the Community Development Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. Galante Vineyards v. Monterey Peninsula Water Management Dist., 60 Cal. App. 4th 1109, 1121 (1997).

We hereby request that City of Santa Clara ("City") send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:

    - Notices of any public hearing held pursuant to CEQA.
    - Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
    - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
    - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
    - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
    - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
    - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
    - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
    - Notice of any Final EIR prepared pursuant to CEQA.

- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

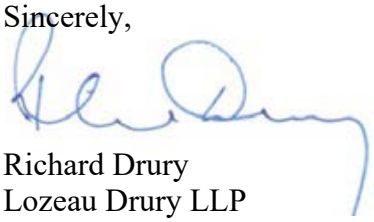
Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail, if possible or U.S. Mail to:

Richard Drury
Theresa Rettinghouse
Lozeau Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607
510 836-4200
richard@lozeaudrury.com
theresa@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Richard Drury
Lozeau Drury LLP

September 26, 2018

Chair Jain and Planning Commissioners
City of Santa Clara

Re: Study Session on Tasman East Specific Plan

Dear Chair Jain and Commissioners,

The Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter are pleased to find that the EIR for Tasman East discusses and includes mitigation measures to reduce light pollution and the hazards of bird collision with glass in this district. We are greatly appreciative of the work invested here, and would like to make a couple of suggestions:

- MM BIO – 3.1. Interior landscaped areas behind glass (such as in courtyards and atria, corners of buildings and plantings behind glass balustrades) are extremely hazardous to birds as they create a deadly attraction all year long, not only during migration season. We ask that you replace the word "reduce and eliminate…" with "prohibit visibility of internal landscaped area behind glass". This is very important, as planners and designers often incorporate interior plantings and atria, being unaware of the risk to birds.

- Exterior shades are excellent in reducing light pollution if drawn at night. Please consider adding External Shades to the menu of mitigations for reducing light pollution.

In addition, we hope you suggest that the Tasman East Specific Plan help restore the urban forest to replicate native California oak landscapes within the urban context and the riparian edge of the Guadeloupe River. We encourage the City to require the preservation and planting of oaks, willows and other native species. We recommend the San Francisco Estuary Institute's Re-oaking Silicon Valley Report[1] and the Urban Habitat Design Guidelines Checklist (please find attached) as the landscape guidelines for the Specific Plan. Suggested Policies:

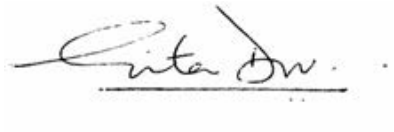
- Require a vibrant urban forest and a healthy ecology for human health and wellness for a high density residential area

[1] http://www.sfei.org/documents/re-oaking-silicon-valley

- Encourage the planting of native trees, especially native oaks, to improve the ecological integrity of the urban forest
- Preserve and protect existing native trees through tree protection and education programs
- Prioritize the preservation of trees along riparian corridors and in open space areas

We thank you for your consideration

Sincerely,



Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society
650-868-2114

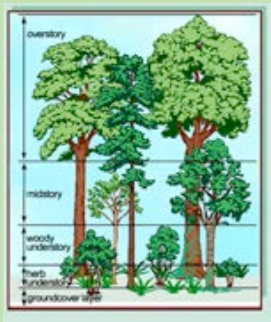
Gita Dev, Co-Chair
Sustainable Land Use Committee
Sierra Club Loma Prieta Chapter
415-722-3355

CHECKLIST for URBAN HABITAT DESIGN GUIDELINES*

FOR CITIES, COUNTIES, CAMPUSES
PRIVATE DEVELOPERS
& RESIDENTS

Project Name_____

1. Executive Summary	Urban and suburban landscapes have significant potential to support wildlife and provide key ecosystem functions within the developed matrix • **The establishment of sustainable habitat areas, interwoven into the urban setting, is mutually beneficial to ecosystems and humans** • **Therefore it is an enterprise worthy of serious investment** (i.e., of time, money, and limited physical resources such as land and water) Aim to establish functional wildlife habitat, blended with sensitive design that allows for human use and enjoyment of these habitats
2. Ecological Approach: *Design landscapes for habitat value to contribute to the ecological health of the region*	1. **To develop complex and diverse ecosystems** at the scale needed to provide key habitat functions and landscape resilience over time. **2.** To develop habitat areas that can **persist and regenerate over time.** **3.** To plan habitat enhancements that will complete or **complement other conservation and restoration plans at a city or regional level.** 4. To create habitat corridors connecting patches of habitat in the urban fabric in a manner that provides **a variety of benefits to the community and educates the public** about the value and functions of natural ecosystems. 5. **To prioritize the use of native plant species, especially trees and shrubs (which support high wildlife value)** in new landscaping to the greatest extent feasible.
3. Goals and Priorities *in order to **reestablish healthy ecosystem elements** that have been virtually eradicated from the region, and which will provide important habitat to special-status wildlife species, birds, insects and people*	What type of habitats are priorities for this project?
	What groups of species should be targeted for habitat benefits?
	Where should the habitat areas be located in the area being considered?
	What types of habitat development projects present multiple benefits to the most recipients (natural communities as well as the human community)?
	Are there easy-to-measure goals to ensure progress is being made?
	Can a "peoples' science" approach be used to involve the community via social media?
	How to recognize/celebrate success to ensure positive reinforcement & education value? Backyard Habitat Program/ City Butterfly Day/ Native Plant Society tours/etc.

	Below is a list of issues to consider for the project area- use right column as checklist	
4. Design Parameters *Several key factors influence the selection of plantings and canopy* 	Native Plant Selection- *Hydrology –Affinity for water- key to suitable plant selection*	
	Native Plant Selection- *Sun/Shade Tolerance*	
	Soils Conservation and enhancement and Good Drainage	
	Soil Development – encourage organic improvement over time	
	Rain water management	
	Recycled water vs. Potable Water use	
	Planning for Horizontal density & Vertical Structure of trees, shrubs, groundcovers	
	Visual Aesthetic plan for native planting in Urban/Suburban setting	
	Urban Street Corridor Areas – Safety, shade, habitat	
	Areas between buildings and Courtyard Planting	
	Urban Fringe Areas – Creek Corridors, buffer areas	
	Core Habitat Areas – Rich habitat plan for parks, woodland areas	
	Re-oaking to recreate a network of oak trees with gaps of no more than 75-120 feet apart for historical habitat for this area	
	Urban Agriculture, rooftop gardens	
5. Landscape Management: *Maintenance Crews and Education*	Nonnative (and weed) plant control	
	Non-toxic pesticide use and pest control	
	Irrigation	
	Recycled Water	
	Replanting	
6a. Bird-Safe Design for Buildings 	*Bird-Safe Architectural Lighting*	
	• Pull shades after dark to reduce light pollution	
	• Direct lighting downwards	
	• Use blue or green light	
	Bird-Safe Architectural Surfaces to minimize bird collisions	
	• Avoid highly reflective glass coatings throughout all glazing systems	
	• Create visual obstacles such as patterned glass	
	• Eliminate atria and courtyard designs that trap birds	
	• Minimize see-through situations	
6b. Bird-Safe Design for Landscapes	Strategically place vegetation to minimize collision risk with buildings	
	Use local, native vegetation.	
	Lighting Design: Reduce the use of artificial light.	
	Lighting: Direct light downward.	
	Lighting: Use colored light. Blue and green	
6c. Bird-Safe Construction Practices	Schedule construction to avoid nesting season	
	Pre-construction/Pre-disturbance Surveys	
	Inhibition of Nesting in areas where construction is planned to occur	
6d. Bird-Safe Landscape Management	Avoid the use of chemicals, use organics	
	Take care to avoid impacting nesting birds while managing the landscape.	
	Reduce wildlife access to anthropogenic food (garbage etc.).	
	Install bird feeders.	
	Install bird baths and water features	
	Install nest boxes.	
	Minimize pet encroachment into habitats.	
7. Plant Palettes *Use native and high habitat-value plants**	Native Plants for Over story- Urban Canopy Add to Urban tree canopy with high habitat-value trees	
	Native Plants for Midstory Shrubs, Vines	
	Native Plants for Undestory Shrubs, Groundcovers	

See Plant List in URBAN HABITAT DESIGN GUIDELINES by H.T. Harvey and Associates – 2017